

Chesapeake Bay and Water Resources Policy Committee

Date: Friday, Nov. 17, 2006

Time: 9:45 a.m.– 11:45 a.m. *

Place: Third Floor Board Room

777 North Capitol Street, NE

Washington, DC 20002

**Lunch will be available for committee members and alternates after the meeting.*

Meeting Agenda

- 9:45 **1. Introductions and Announcements**Hon. John R. Lovell
Chair, Frederick County
- 9:50 **2. Approval of Meeting Summary for Sept. 15, 2006**Chair Lovell
- Recommended action:** Approve DRAFT Meeting Summary (*Att. 2*).
- 9:55 **3. Update on “Compounds of Emerging Concern” Issue**.....Tanya Spano, COG staff
Steve Bieber, COG staff

At its Oct. 11 meeting, the COG Board of Directors received a briefing on the issue of the “intersex fish” found in the Potomac River and its implications for human health and the environment. The issue is thought to be related to the presence at very low levels of various man-made compounds, such as pharmaceuticals and pesticides, known collectively as compounds of emerging concern. The Board directed the committee, in conjunction with key stakeholders, to assess the public health and environmental concerns posed by these compounds and to report back to the Board on existing data regarding and potential solutions for addressing this issue (*Att. 3*). Ms. Spano and Mr. Bieber will outline potential ideas for a Board report that were discussed with COG’s Water Resources Technical Committee.

Recommended Actions: Provide feedback on preliminary plans for a report on this issue.

- 10:15 **4. Dialogue on 2007 Federal Farm Bill Proposals**.....

Karl Berger, COG staff

Wilmer Stoneman, Associate Director for Government
Relations, Virginia Farm Bureau Federation

Buddy Hance, President,
Maryland Farm Bureau

The committee has heard several times, most recently in May, from the Chesapeake Bay Commission on its proposals for changing federal farm policy to increase funding for Bay restoration efforts. The Commission has produced a 17-page report (previously distributed) outlining specific ideas for provisions in the new farm bill expected to be approved in 2007. A number of other local groups, such as the Chesapeake Bay Foundation, also are advocating ideas for changing the farm bill. Mr. Berger will outline the key details of these proposals and solicit comment from Mr. Stoneman and Mr. Hance. (See *Att. 4* for background and a list of questions they will be asked to address.)

Recommended Action: Direct staff to draft a set of recommended farm bill provisions which the committee will decide whether to support or not at its January 2007 meeting.

11:05 5. **FY 2008 Federal Funding Prospects for Bay Restoration.**Steve Bieber, COG staff

Congressional staff (invited)

The congressional Chesapeake Bay Watershed Task Force, comprised of House members whose districts are located in the watershed, has sent a letter (*Att. 5*) to the Office of Management and Budget with its requests for federal funding for various Bay-related initiatives in President Bush's fiscal 2008 budget. Mr. Bieber will review the programs of potential interest to COG's members.

Recommended Action: Determine which, if any, of the Task Force's funding requests COG should support.

11:25 6. **Proposal for Amending Committee Bylaws**.....Lee Ruck, COG General Counsel

At its Sept. 15 meeting, the members present voted to have the full committee consider a bylaws change proposed by Mr. Ruck for dealing with actions taken as a committee of the whole in the absence of a quorum. In accordance with the current bylaws, this proposal was circulated by special written notice included in the mail-out of committee materials on Nov. 7 (*Att. 6*). The committee will be asked to vote on the amendment proposal and, if approved by a simple majority of those voting, recommend its final approval by the COG Board.

Recommended Action: Approve proposal to amend the bylaws for final approval by the COG Board.

11:35 7. **Committee Updates**.....COG staff

- **CBP Reorganization Survey Response (*Att. 7*)**
- **Scotts Miracle-Gro Company Initiative**

COG staff will provide brief updates on several topics of longstanding interest to the committee.

11:40 8. **New Business**Members

- **Tentative meeting schedule for 2007**

11:45 **9. Adjourn**

The next meeting is tentatively scheduled for Friday, Jan. 19, 2007.

(Remember: COG will reimburse members and alternates for Metro fares.)

Attachments:

- Item 2 DRAFT meeting summary of Sept. 15, 2006
- Item 3 COG Board Resolution R46-06
- Item 4 Staff backgrounder on federal farm bill policies that relate to Bay restoration effort
- Item 5 Letter of Oct. 30, 2006, from Chesapeake Bay Watershed Task Force to Rob Portman, Director, Office of Management and Budget.
- Item 6 Staff memo of Nov. 7, 2006, re proposal to amend committee bylaws
- Item 7 DRAFT letter of Nov. 17, 2006, from John Lovell to Rebecca Hanmer

CHESAPEAKE BAY and WATER RESOURCES POLICY COMMITTEE
777 North Capitol Street, N.E.
Washington, D.C. 20002

DRAFT MINUTES OF SEPTEMBER 15, 2006, MEETING

ATTENDANCE:

Members and alternates:

Chair John Lovell, Frederick County
Vice Chair Hamid Karimi, District of Columbia
Penelope Gross, Fairfax County
Martin Nohe, Prince William County
J Davis, City of Greenbelt
J. L. Hearn, WSSC
Claudia Hamblin-Katnik, City of Alexandria
Bruce McGranahan, Loudoun County
Mohsin Siddique, District of Columbia Water and Sewer Authority
(Representative of Prince George's County DEP)

Staff:

Ted Graham, DEP Water Resources Director
Tanya Spano, COG staff
Mukhtar Ibrahim, COG staff
Heidi Bonnaffon, COG staff
Karl Berger, COG staff

1. Introductions and Announcements

Chair John Lovell called the meeting to order at 9:45 a.m.

2. Approval of Meeting Summary for July 21

Acting as a committee of the whole in the absence of a quorum, the committee approved the meeting summary by consensus.

3. Recent Media Reports on Potomac Water Quality

Mr. Ibrahim of COG staff briefed the committee on the status of a recent algal bloom discovered in portions of the Potomac River estuary and its relationship to water quality improvement efforts in the region. The algal bloom was one of two recent developments concerning Potomac water quality that received significant attention in the media. Mr. Ibrahim reported that the state of Maryland issued an advisory at the end of August to avoid swimming and other forms of contact with water in certain parts of the estuary because of elevated levels of the blue-green algae, *Microcystis aeruginosa*. However, he added, the concentrations being measured, while high, were well below those recorded during past "bloom" events, such as in the summer of 2004. And they were several orders of magnitude less than those often seen in the 1970s and early 1980s before nutrient reduction efforts occurred at area wastewater plants.

Discussion:

Mr. Karimi noted that scientists are still trying to pin down exactly what causes algal blooms, so we should be careful when attributing their diminution entirely to wastewater treatment improvements. Chair Lovell asked whether nutrients from non-human sources, such as geese populations, can contribute to the problem, to which staff replied that nutrients from wild animals are not thought to be high enough to make a difference.

Ms. Spano of COG staff continued the presentation with a report on the issue of compounds of emerging concern, which are thought to play a role in the development of “intersex” fish and other environmental abnormalities being noted in water bodies across the country. The finding of intersex fish was noted in a front page story in the Washington Post on Sept. 6. Ms. Spano said that this was not the first time such abnormalities were found in local waters. In 2005, a more systematic survey conducted by federal and state officials at several locations across the region found that up to 80 percent of male smallmouth bass were growing eggs, an abnormality linked to the presence of compounds known as endocrine disruptors for their ability to mimic hormones. Ms. Spano further noted that endocrine disruptors comprise only one category in a larger list of “compounds of emerging concern,” a list which also includes pharmaceuticals, fire retardant chemicals and other materials that can cause biological impacts at very low levels in the environment.

Ms. Spano also referred to a 2002 study by the U.S. Geological Survey whose authors went looking for 95 specific compounds at wastewater and drinking water plant intakes at several locations in the Potomac River and elsewhere in the region and found many of them. She added, however, that scientists have, as yet, found no evidence that these compounds are affecting human health

She said the region’s water and wastewater utilities are working with EPA and USGS to study this issue. COG and the Chesapeake Bay Program are co-sponsoring a technical workshop this fall on the issue and COG plans to hold another workshop sometime in the spring of 2007.

Committee members asked Ms. Spano a number of questions. Mr. Karimi asked if water suppliers are testing their finished water for these compounds as well as the water at their intakes. Ms. Spano replied that COG staff would have to check the answer, but she did respond that EPA has not indicated that they are concerned about human health impacts from these compounds. Ms. Gross asked if 2003 was the first year in which the compounds were detected in the Potomac. The answer was no and Ms. Spano added that many of these compounds may have been there for years and only been detected in recent years because of improved analytical methods. Ms. Davis asked why the researchers appear to have concentrated on male fish. The answer was that it has been easier to detect problems with male fish.

Mr. Graham of COG staff asked the members to review a draft fact sheet staff distributed at the meeting and provide feedback to staff. He asked if members were receiving inquiries from the public on this issue and no member present said that they had.

Ms. Spano said the work program could include a number of action steps and noted that there are examples to potentially follow from other parts of the country. The city of San Francisco, for example, has a program to advise residents not to throw away left-over medications in the sewer system, she said. In response, both Ms. Gross and Ms. Davis noted that the issue is a complicated one for public authorities. Members of the public also are told not to discard medications in the trash, she noted.

4. Approve COG Participation in Public Education Campaign with Scotts

This item was deferred until later in the meeting.

5. Update on Chesapeake Executive Council Meeting

Ms. Gross, who serves as chair of the Bay Program's Local Government Advisory Committee (LGAC), briefed members on the committee's planned presentation to the Chesapeake Executive Council (EC) at its upcoming annual meeting Sept. 22. She noted that each of the Bay Program's three advisory committees, including LGAC, will have 20 minutes to brief the governors and other officials who serve on the EC, which is twice as long as in past years. She provided members with copies of the annual report that LGAC will issue at the meeting, although she asked the members to treat it confidentially until after the meeting.

Ms. Gross said the main theme of the annual report and the presentation is to ask for more money for local governments to implement water quality projects that will benefit the Bay. In the case of the many small local governments represented by the LGAC, there also is a need for technical assistance. Despite a lack of progress to date, the Bay Program should continue to lobby the federal government for more money for Bay restoration work and should mobilize local governments in this effort.

On the issue of the Bay Program's re-organization efforts, Ms. Gross said the LGAC is asking that more existing resources be devoted to the actual implementation of water quality projects. She also said the LGAC will ask the governors who appoint the members to broaden the backgrounds of those selected to serve.

Discussion of Item #4, deferred from earlier in the agenda.

Mr. Karimi, who served as one of three committee members who agreed to provide feedback to staff on the potential Scotts initiative ahead of the next committee meeting, introduced this item. He noted that committee members have received several presentations on Scotts plans to reduce the phosphorus content of its line of home lawn care fertilizers. He also noted that the company and potentially other private sector entities are prepared to sign an MOU with the Bay Program at the upcoming EC meeting. As part of this initiative, the company has been discussing plans for joint outreach efforts with COG staff, he said.

Mr. Berger of COG staff provided a status report on that effort. Initially, he said, staff was focused on seeing whether Scotts would be interested in helping to support the radio ad campaign that governments in northern Virginia have conducted for the past two years in early summer, at least a portion of which has targeted lawn care behavior. However, Scotts officials proposed a partnership to jointly fund a newspaper ad campaign this fall in conjunction with the MOU signing at the EC meeting. He said negotiations were continuing over the exact wording and format of such an ad, but that it would support a message encouraging home owners to fertilize in the fall. To ensure that such a message would be appropriate to the Bay Program effort, he added, COG staff has asked specialists from the University of Maryland to review the ad copy. He asked the committee to approve the use of up to \$15,000 in COG funds to support a newspaper campaign, potentially in the Washington Post.

Discussion:

Ms. Davis questioned the timing of such an ad at this time of year. Mr. Lovell noted that fall is actually the best time of year to fertilize a lawn. Mr. Hearn asked staff to clarify that the source of the funds would be from COG membership fees and not from the Regional Water Fund. Mr. Berger said this interpretation is correct. Mr. Karimi noted that such a public-private partnership presents a very constructive model for continuing to achieve results in the restoration effort. However, he also noted the importance of COG not endorsing a specific company. Mr. Nohe noted that in his experience, there may be cheaper advertising vehicles than the Washington Post.

Action Item: Upon a motion by Ms. Gross, the committee approved the use of up to \$15,000 in already budgeted money from the general membership fund for potential use with Scotts. The members modified the

original motion to specify that the official partner for COG must be a sponsor from an industry group, not a specific company.

6. Plans for COG Response to CBP Reorganization Survey

Mr. Graham noted that the Bay Program is considering re-organization in the wake of the criticism of its efforts made recently in the Government Accountability Office report and in other venues. The program is soliciting comment from stakeholders and he suggested COG could reinforce the re-organization recommendations made by LGAC in commenting on this issue.

Discussion:

The members agreed with the staff suggestion to echo LGAC's comments in a letter to the Director of EPA's Bay Program Office. Ms. Gross said it is important that the Bay Program change its focus and not merely treat re-organization as an exercise in shuffling committee assignments.

Action Item: COG staff will draft a letter on the re-organization issue for review and comment by the full committee.

7. Proposal for Amending Committee Bylaws

Mr. Berger noted that COG General Counsel Lee Ruck has drafted a proposed change in the bylaws under which action taken as a committee of the whole in the absence of a quorum could later be officially ratified through an electronic ballot. Under the existing bylaws, the members present must agree to place the bylaws amendment up for an official approval vote at the next regularly scheduled meeting of the committee.

Discussion:

Mr. Lovell spoke in favor of the proposed change, saying that it was a means of making this a functioning committee despite sometimes lacking a quorum. Ms. Davis, however, wondered if allowing members to conduct an important vote via email would serve to further weaken actual attendance at the meetings. In response, Mr. Lovell said the committee needs to have interesting presentations. Mr. Nohe said he likes the option to give more members the chance to participate in committee business and perhaps this might even encourage them to attend meetings where they do not do so now.

Action Item: The committee directed COG staff to officially place the proposed amendment for proposed action at the November meeting.

8. Committee Updates

State Tributary Strategies – Mr. Graham noted that Bay Program officials are at least privately acknowledging that the restoration effort will not meet the 2010 nutrient and sediment reduction goals set by the Chesapeake 2000 Agreement.

9. New Business

COG staff briefly noted that there is a group trying to organize a series of water quality-related activities in 2007

in association with the 400th anniversary celebration of the voyage of explorer John Smith throughout the Bay and some of its tributaries. He said there may be an opportunity for COG or its members to get involved in some of these activities, several of which are planned to occur within the COG region. He said COG staff would further explore the opportunities and report back to the committee.

10. Adjourn

The meeting was adjourned at 11:55 a.m.

METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS
777 N. Capitol St., N.E.
Washington, DC 20002

**RESOLUTION CONCERNING ENDOCRINE DISRUPTING COMPOUNDS AND OTHER
COMPOUNDS OF EMERGING CONCERN IN THE
POTOMAC RIVER WATERSHED**

WHEREAS, the Metropolitan Washington Council of Governments (Council) supports regional approaches to insuring safe, clean and reliable drinking water supplies for the Washington metropolitan region; and

WHEREAS, endocrine disrupting compounds and other compounds of emerging concern, as well as "intersex fish" have recently been identified in the Potomac River Watershed and in other water bodies across the country by the United States Geological Survey (USGS), and the USGS studies have raised concerns surrounding the affects certain compounds may have on the endocrine systems of living organisms; and

WHEREAS, there are ongoing national research efforts being conducted by federal agencies, water and wastewater associations, and others to evaluate potential human and environmental health risks associated with endocrine disrupting compounds and other compounds of emerging concern; and

WHEREAS, the national research is examining whether the presence of these compounds warrant changes in product design, public education about purchase and disposal of pharmaceuticals and personal care products as well as wastewater treatment, drinking water treatment, and watershed management; and

WHEREAS, the Council has a long and distinguished record of enhancing understanding about regional water quality issues and compounds of public health or environmental concern to ensure timely and appropriate public responses are made to protect public health and the environment;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE
METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS THAT:**

1. The Chesapeake Bay and Water Resources Policy Committee work together with key stakeholders to assess the public health and environmental concerns posed by endocrine disrupting compounds and other compounds of emerging concern in the Potomac River Watershed.
2. Joint findings and recommendations shall be presented to the COG Board of Directors at the January, 2007 meeting and shall cover (1) existing data on water quality and environmental effects of compounds of emerging concern in the Potomac River Watershed; (2) potential solutions to reduce the concentrations of chemicals of concern in the Potomac River Watershed.

Chesapeake Bay and Water Resources Policy Committee
Summary of Federal Farm Bill Proposals for Enhancing Bay Restoration Effort

Att. 4

Prepared for November 17, 2006, meeting

Background

Programs that provide federal resources to farmers are typically amalgamated under an overall spending bill known as the federal farm bill. Congress typically passes a new one every 5 or 6 years; the current one, passed in 2002, is due to expire at the end of 2007.

The U. S. Department of Agriculture has held hearings and devoted other attention to what is anticipated to be a new 2007 farm bill, which would be passed by the 110th Congress to be elected this November. A number of organizations, including, in our region, the Chesapeake Bay Commission, have developed detailed proposals for changing some of the current provisions of federal farm programs in a new farm bill.

In the past, farm bill provisions have covered policies ranging from international trade and farm credit to nutrition and commodity price support programs. However, groups such as the Bay Commission, are primarily interested in programs designed to minimize agriculture's impact on water quality, known collectively as the Conservation Title of the farm bill.

Conservation programs passed under the 2002 farm bill (or under previous farm bills and continued in 2002) include:

- The Conservation Reserve Program (CRP) and Conservation Reserve Enhancement Program (CREP), under which the government provides payments to farmers to take certain lands out of production based on their potential impact on water quality and soil erosion.
- The Environmental Quality Incentive Program (EQIP), under which the government provides cost-share funds to farmers to implement "best management practices" and other types of measures to improve water quality.
- The Conservation Security Program, under which the government has provided incentive payments to farmers in selected watersheds who improve the overall conservation performance of their farming operations.

Federal funding for conservation programs has increased over time, according to USDA. Including funds for technical assistance, it totaled \$4.7 billion in FY 05, up from \$3 billion in FY 01. The CRP and CREP accounted for the bulk of direct payments to farmers.

The share of federal conservation funding in the Bay region was estimated to be about \$66 million in FY 04, according to the Bay Commission. In its report on changes it would like to see in farm policy, "2007 Federal farm Bill: Concepts for Conservation Reform in the Chesapeake Bay Region," the Commission estimated that it would take about four times that amount, or \$262 million/year for agriculture in the region to meet the goals for the Chesapeake 2000 Agreement.

The Commission noted that there is a lot more demand for federal conservation funding in the region than current levels of funding can support. In FY 03, for example, it estimated that only about 14 percent of the applications for financial assistance under various conservation programs within the bay watershed were funded.

Recommendations for Change

The Bay Commission's 17-page report makes a number of highly specific recommendations for changes in the various conservation programs. In broad terms, the Commission is recommending:

- Creation of a new program, the Regional Stewardship Fund, to supplement and coordinate existing programs on targeted watershed basis.
- Expansion of the geographic reach and funding support for the Conservation Security Program, which currently does not cover all of the watersheds in the Bay region,
- More money for all of the existing Conservation Title programs and more money for technical assistance to administer them.
- Better targeting of funds in existing programs to achieve more water quality benefits. Included in this recommendation was a call for more money for the Conservation Innovative Grants Program under which the government can provide assistance for new approaches, such as carbon banking.
- More money for marketing assistance and research aimed at developing new markets for manure and energy production on farms.

Questions for Farm Panel Members

- Is the assumption that current federal conservation funding in the Chesapeake Bay region is inadequate accurate? Would more BMPs and other water quality measure be implemented if more funding was available?
- Would increasing the amount of federal funding for the Conservation Title decrease federal funding for other elements of the Farm Bill?
- If the farm bill is a zero-sum exercise, do farmers in the Mid-Atlantic region stand to receive more overall federal funding under a farm bill with more money for conservation programs and less for commodity support programs?
- Are there specific existing programs, for example, the Conservation Innovative Grants Program, that farmers and environmental groups can all support?
- Are there specific new programs, such as the proposed Regional Stewardship Fund, that farmers and environmental groups can all support?
- Would farmers support a move away from traditional commodity support programs to so-called "green payments" based on the extent of water quality protection measures a particular farmer implements, as some farm bill advocacy groups have proposed?

Congress of the United States
Washington, DC 20515

October 30, 2006

The Honorable Rob Portman, Director
Office of Management and Budget
Executive Office Building
Washington, DC 20503

Dear Director Portman:

The Congressional Chesapeake Bay Watershed Task Force thanks you for your continued strong support for Bay restoration and protection. Through federal and state leadership, the partnership of local governments, organizations and citizens, and by the new and innovative initiatives proposed in the President's budget over the past few years, we have made progress toward a clean Bay. This Administration has provided new funding for Chesapeake Bay restoration efforts through the U.S. Environmental Protection Agency's (EPA) Targeted Watershed Grants, the U.S. Department of Agriculture's Conservation Innovation Grants, and agricultural programs that support the Delmarva Conservation Corridor program. These commitments have contributed significantly to the improvements we are seeing in the Bay, and we urge you to continue your leadership in providing strong federal support for Bay restoration and protection in the President's Fiscal Year 2008 Budget.

By matching federal dollars, Bay restoration partners have contributed significantly to the achievement of these successes, continuing necessary restoration and important research. Although we are making progress toward the partnership's 2010 goals, we believe much more can and should be done to reach these goals.

As you know, during the 109th Congress we joined 16 Members from the Bay Watershed U.S. House of Representatives Delegation to introduce H.R. 4126, the Chesapeake Bay Restoration Enhancement Act. This legislation is designed to help the Bay restoration partnership achieve as much of its 2010 goals as possible and to address recommendations made by the Government Accountability Office in its October 2005 report, entitled *Chesapeake Bay Program: Improved Strategies Are Needed to Better Assess, Report, and Manage Restoration Progress*. This legislation calls for a holistic and crosscut budget planning approach for Chesapeake Bay restoration, and we encourage you to implement this approach in FY 2008.

EPA PROGRAMS

Chesapeake Bay Program -- \$40 million

The Chesapeake Bay Program is authorized by Section 117 of the Clean Water Act at \$40 million annually. The Program is authorized to coordinate, manage, and provide implementation assistance for Bay restoration, including a Small Watershed Grants Program. Through the *Chesapeake 2000* agreement, the Bay partners -- including the federal government, the states of Maryland, Virginia, Pennsylvania, Delaware, West Virginia, and New York, the District of Columbia, and the Chesapeake

Bay Commission -- have set very ambitious water quality and other restoration goals that must be met in order to restore the Bay and to protect public health and the environment.

We recommend full funding of the Program, which includes various types of technical assistance and monitoring grants, data gathering and analysis, computer modeling capabilities, and general operations. We also recommend that EPA expand the amount of technical and financial support that it supplies to the state and local governments and private interests for activities to improve water quality and habitat, through Implementation Grants to the states and the Chesapeake Bay Small Watershed Grants program.

Of the \$40 million, we urge the Administration to specifically include the Chesapeake Bay Small Watershed Grants program in the President's FY 2008 Budget Proposal at a funding level of \$10 million. Population growth -- at a rate of 100,000 new residents annually -- and development are large and growing sources of nutrient and sediment pollution to the Bay and its tributaries. Local governments bear the most responsibility to control the impacts from this development, and they are often ill-equipped to plan or implement actions that will prevent or reduce future nutrient and sediment pollution. The Chesapeake Bay Small Watershed Grants Program, administered by the National Fish and Wildlife Foundation, is the only program specifically designed to give money and technical assistance to local governments and non-profit groups to take local action to help the Bay. This program, currently funded at \$2 million annually, leverages about four times that amount of money for on-the-ground restoration and pollution prevention projects every year. While this approach serves as a model for federal and local estuarine restoration partnerships across the country, the current investment for this program in the Bay region is too small to have a significant impact toward meeting the *Chesapeake 2000* agreement water quality goals by 2010.

Targeted Watershed Initiative -- \$10 million

In addition to funding for the Chesapeake Bay Program itself, the President, in his FY 2005 Budget Proposal, requested \$10 million for the national Targeted Watershed Initiative and designated that it be used for Chesapeake Bay nutrient reduction efforts. Congress funded this request at \$8 million in FY 2005, and then at \$6 million in FY 2006. Projects funded by this program contribute directly to quantitative reductions in nutrients and sediments that enter the Bay and include improvements to the efficient use of nutrients on farms and improvements to stormwater management systems. Because this program uses technology and scientific understanding developed through the Bay Program to focus on specific reductions to nutrients and sediment entering the Bay, it presents the most immediate and direct opportunity to achieve water quality restoration in the watershed. We encourage you to consider funding this program at the highest level possible in the FY 2008 budget request, but at the very least at \$10 million.

We recommend that this money be designated for implementation of restoration projects as outlined in the state Tributary Strategies, and that the entire 64,000 square mile Bay watershed be eligible.

Blue Plains Wastewater Treatment Plant -- \$66 million

Blue Plains is the largest advanced wastewater treatment plant in the world, with a capacity of 370 million gallons per day. It covers 150 acres in Washington, D.C. and serves all of the nation's capital with its many government buildings, as well as ratepayers in the surrounding counties of Montgomery, Prince George's, Fairfax and Loudoun. Currently, the facility discharges 7.54 million pounds of nitrogen into the tidal Potomac every year, by far the single largest source of pollution in the entire

Bay watershed, contributing the equivalent of nutrient runoff from more than 6,000 of the region's farms. The special regional nature of the facility, its tremendous impact on the Chesapeake Bay, and its high price tag make this a very unique situation with added federal responsibility. Total cost for full implementation of nutrient reduction technology at Blue Plains is estimated to be \$450 million. This \$66 million request would immediately leverage \$43 million in state and local funds and pay for an initial upgrade capable of reducing the facility's discharge by up to 5 million pounds of nitrogen annually.

Section 106 State and River Basin Commission Funding -- \$227.289 million

The President's FY 2007 budget request for the Section 106 grants program was \$221.661 million – a 2.5 percent increase over the prior year. The value of the Section 106 funding to both the States and the interstate agencies is not unique to the Chesapeake Bay region – it is a core program for watershed restoration nationwide, and we urge you to again increase this program by 2.5 percent in the President's FY 2008 budget request to ensure that at least \$227.289 million is allotted.

The Task Force contacted EPA Region III Administrator Donald S. Welsh earlier this year to encourage EPA to support the Chesapeake Bay Non-tidal Monitoring Network through the states' use of Section 106 funds. Mr. Welsh responded to us very positively by sharing the Federal commitment to this Network in the recently signed Memorandum of Understanding (MOU), *Cooperative Efforts for Monitoring and Assessing Water Quality in the Streams and Rivers of the Chesapeake Bay Watershed*. This MOU was also agreed to by the six states and the District of Columbia that are in the Bay watershed, as well as by the Susquehanna River Basin Commission and the Interstate Commission on the Potomac River Basin, all of which play a key role in the Monitoring Network. We strongly support a continued and increased commitment to funding Section 106 grants.

ASSISTANCE TO FARMERS

Agriculture is the largest single source of nutrient and sediment pollution to the Chesapeake Bay and, as such, represents a tremendous opportunity to reduce pollutants through programs that are demonstrated to be only 1/6th the cost of infrastructure improvements for point-source pollution. In addition, sustainability of farming in the rapidly-changing Bay watershed landscape is critical to the Bay's restoration and, as demonstrated by the New York City Watershed Agreement, is more cost-effective than attempting to meet growing water infrastructure funding gaps. In their commitment to restoring Chesapeake Bay water quality, the states are relying on agriculture to provide 68 percent of the nitrogen reductions, 64 percent of the phosphorus reductions and 90 percent of the sediment reductions.

It is estimated that farms in the six-state Chesapeake Bay watershed receive only 1 percent of the total national funding for commodity and conservation payment. Yet, this area represents 3.2 percent of U.S. farmland acreage and contributed \$12 billion to the nation's total agricultural cash receipts.

The partners of the Chesapeake Bay Program, in their state-approved tributary strategies, have identified a total need of \$700 million per year for agricultural practice activities in order to meet the nutrient and sediment reduction goals needed to remove impairments to the Bay ecosystem. These activities and practices are specifically identified by watershed. It is estimated that farmers would cover 25 percent of these costs and that the remaining \$525 million would be split between federal and state government assistance. Assuming the states cover half of the cost, the remaining federal share would be \$262.5 million. Since the U.S. Department of Agriculture (USDA) estimates that the Natural Resources Conservation Service (NRCS) spent approximately \$78 million in FY 2004 on

various types of natural resource issues in the Bay watershed, the need for new USDA money in FY 2008 is \$184.5 million. While we understand that there is no line item identification for this in the President's budget, we encourage the President to support this funding to the states, and in turn, to encourage state governments to spend the funding in a manner consistent with their approved tributary strategies.

In light of the cost-effectiveness of investing in agricultural programs, there are several key agricultural programs that are critical to meeting the Bay's restoration deadlines. In addition to the general funding mentioned above, we encourage the President to support the following specific programs and funding levels:

Agricultural Management Assistance Program (AMA) -- \$20 million

This program is of growing importance to the Chesapeake Bay. Along with the Environmental Quality Incentives Program (EQIP), the AMA has enabled farmers in the Chesapeake Bay watershed to better manage water use and animal waste and to control harmful nutrient and sediment runoff. This truly regional and innovative program provides key cost-share and incentive payments to farmers in five of the Bay watershed's six states that are among the 15 states eligible to participate in the AMA. We strongly urge the Administration to support the continuation of the AMA and to fully fund this program as authorized in the Agricultural Risk Assessment Act of 2000 and the 2002 Farm Bill.

Conservation Innovation Grants (CIG) -- \$10 million

The 2002 Farm Bill allows USDA to use EQIP funds for competitive grants for innovative projects. The Chesapeake Bay has already been identified as a Conservation Priority Area by the Farm Bill, and the Secretary of Agriculture has the authority to increase the amount of Bay watershed land enrolled in numerous Farm Bill conservation programs. We urge the Secretary to utilize this authority and to substantially increase the Chesapeake Bay set aside for CIG. This past year, \$20 million was available to competitively fund projects through CIG, \$5 million of which NRCS allocated for Chesapeake Bay watershed-specific projects. These grants have been very successful, and there is an increasing demand for more innovative restoration work in the agricultural sector.

We urge USDA to double the set aside for the Bay region to \$10 million in 2007. Ultimately, we would prefer that NRCS more than double the amount it designates for CIG grants nationwide and still maintain a one-quarter set aside of that funding for Chesapeake Bay projects.

Delmarva Conservation Corridor -- \$5 million

Agriculture accounts for approximately 40 percent of the nutrient pollution entering the Chesapeake every year. On the Eastern Shore of the Chesapeake Bay, or Delmarva Peninsula, agriculture contributes about 70 percent of all the nutrients that wash off the land and into the Bay. Nowhere in the entire Bay watershed is farming more a part of the local economy and landscape than in Delmarva. The Delmarva Conservation Corridor pilot program was authorized under Title II of the 2002 Farm Bill and seeks to protect and conserve natural resources and make farming profitable, thereby preserving Delmarva's rural way of life.

In FY 2005, the USDA announced a set aside of \$5 million for grants to farmers in Delaware,

Maryland, and Virginia. We appreciated and supported this action then, and urge you to continue this important program by allocating at least \$5 million in the FY 2008 Budget Proposal.

DEPARTMENT OF THE INTERIOR PROGRAMS

Maintaining Fish Health -- \$2 million

In recent years there have been a number of fish health and reproductive problems within several river systems of the Chesapeake watershed that appear to be associated with “emerging” contaminant issues and loss of habitat. These include: (1) fish kills and the subsequent finding of intersex in smallmouth bass in the Potomac River; (2) major fish kills of smallmouth bass and sunfish in the Shenandoah and Susquehanna Rivers; (3) a high prevalence of cancers in bullhead catfish from the Anacostia (Washington, DC) and South Rivers (Annapolis, MD); and (4) poor reproductive success of yellow perch in western shore tributaries. Potential causes of reproductive problems and increased disease susceptibility include a loss of suitable habitat conditions, poor water quality and riparian zone alteration.

In FY 2008, we recommend that you include \$2 million, split between the U.S. Geological Survey (USGS) and the U.S. Fish and Wildlife Service (USFWS), to allow for concurrent collections of water, sediment, and fish tissue; contaminant analyses, histopathological and biochemical analyses; and habitat assessments to identify causes of the poor fish health and habitat conditions. The results would be used in FY 2009 and 2010 to address these causes with management practices to improve the health of fish populations in the Bay watershed.

National Fish Habitat Initiative/Restoring Fish Populations -- \$1 million

The Chesapeake Bay region has been a national leader in fish passage and/or dam removal projects to restore migratory fish populations. An organized and concerted effort coordinated through the Chesapeake Bay Program has already restored 1,838 miles of historic prime habitat for migratory and resident fish. Last year, EPA, the six Bay watershed states and the District of Columbia committed to complete 100 more projects which will open 1,000 miles of high quality tributary habitat to migratory fish by 2014.

The region has a long list of priority fish passage projects, ready for implementation, and a severe shortage of funds to complete them. We urge the President to designate the Chesapeake Bay watershed as a Priority Area under the National Fish Habitat Initiative and to set aside \$1 million in the FY 2008 budget for the USFWS under this Initiative to fund these critical ready-to-go projects.

Non-Tidal Water-Quality Monitoring and Assessment Network -- \$1.5 million

The Chesapeake Bay state partners have developed tributary strategies to reduce nutrient and sediment pollution to meet EPA issued water-quality standards for the tidal Bay by 2011. The USGS has led the design and implementation efforts for the Chesapeake Bay Non-Tidal Water-Quality Monitoring Network to assess improvements and better target management actions to improve water quality of local streams and the tidal Chesapeake. Of the 200 sites needed for a complete Network, 64 have been fully implemented and 18 sites have been partially implemented, four of which are scheduled to be completed this calendar year.

Last fall’s federal agreement to *Enhance Federal Cooperative Conservation in the Chesapeake*

Bay Program addressed one aspect of the GAO Report to Congress, by asking USGS to enhance the Bay Program's monitoring data and to lead federal efforts for monitoring and assessment of water quality management actions. Monitoring sites will also be coordinated with the location of EPA Targeted Watershed Grants and USDA Conservation Innovation Grants.

The implementation of the Non-Tidal Monitoring Network began in 2004, and USGS has leveraged funding from EPA and the states. Each site costs approximately \$45,000 per year to operate and maintain, with an additional one time cost of \$7,500 for installation of stream-gage equipment. We strongly urge you to continue support for this critical assessment tool, and to include \$1.5 million in the President's FY 2008 Budget proposal for USGS to add another 28 sites to the Network – bringing the Network to more than half complete.

OYSTER RESTORATION -- \$25 million

In 2000, the Chesapeake Bay Program partners – the governors of the states in the Bay watershed, the Mayor of the District of Columbia and the Federal government – agreed to the goal of a tenfold increase in the population of native oysters in the Bay by 2010. The cost estimate for this commitment was \$100 million. The oyster industry in both Maryland and Virginia is teetering on collapse, and this restoration may be its last hope. Additionally, some in the scientific community believe an even larger increase would confer significant additional benefits in the areas of water quality, dissolved oxygen and submerged aquatic vegetation. In order to meet the 2010 goal of at least a tenfold increase in oysters, an infusion of \$25 million in FY 2008 -- split between NOAA and the Army Corps of Engineers -- is critical to any chance of success.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Chesapeake Bay Observing System -- \$3 million

In addition to non-tidal monitoring, a Chesapeake Bay Observing System (CBOS) is being developed to establish a bay-wide network of monitoring buoys for the Bay's main stem and tidal open water. The integration of new and existing observing capabilities will allow for the collection and dissemination of critical information in real time, leading to more accurate analysis and effective ecosystem management of Chesapeake Bay resources. The CBOS is a component of the U.S. Integrated Ocean Observing system called for in the President's Ocean Action Plan, and there are also plans to have three to five buoys of the Chesapeake Bay Interpretive Buoy System along the Captain John Smith Historic Water Trail. Information from these buoys will be used to provide ecological, historical and cultural interpretation along that Water Trail and will contribute to the safety and enrich the experience of Trail users. It costs \$150,000 to purchase and \$50,000 to operate and maintain each buoy. We urge you to include \$3 million in the President's FY 2008 Budget for NOAA's Chesapeake Bay Office, to fund 15 new CBOS buoys at key locations and incorporate them into the Chesapeake Bay Interpretive Buoy System.

* * *

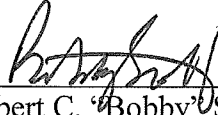
Thank you for your consideration of these requests. Much has been accomplished over the years, but much still needs to be done to restore the Chesapeake Bay to full health. One thing is certain -- we would not have been able to accomplish what we have without Federal support and leadership, and we will not be able to finish the job without it. We urge you to continue to provide the type of leadership that will again make the Chesapeake the envy of the world.

For additional information, please contact Edith Thompson (Rep. Gilchrest) at (202) 225-5311, Ilana Fisher (Rep. Scott) at (202) 225-8351, Darcie Brickner (Rep. Davis) at (202) 225-1492 or Karen Robb (Rep. Van Hollen) at (202) 225-5341.

Sincerely,



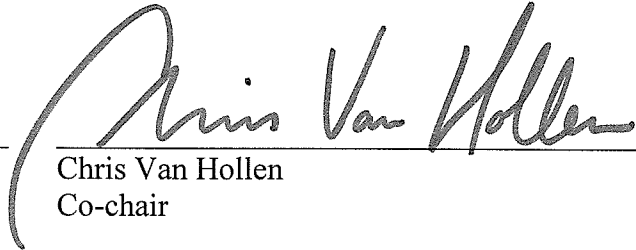
Wayne T. Gilchrest
Co-chair



Robert C. 'Bobby' Scott
Co-chair



Tom Davis
Co-chair



Chris Van Hollen
Co-chair



Local governments working together for a better metropolitan region

Memorandum**Att. 6**

Date: Nov. 7, 2006
To: Chesapeake Bay Policy Committee
From: Karl Berger, COG staff
Subject: Proposal to Amend the Committee's Bylaws

*District of Columbia
Bladensburg*
Bowie
College Park
Frederick
Frederick County
Gaithersburg
Greenbelt
Montgomery County
Prince George's County
Rockville
Takoma Park
Alexandria
Arlington County
Fairfax
Fairfax County
Falls Church
Loudoun County
Manassas
Manassas Park
Prince William County*

**Adjunct member*

This memo constitutes written notice of intent to amend the bylaws of the Chesapeake Bay Policy Committee of the Metropolitan Washington Council of Governments.

At its meeting of Sept. 15, 2006, the committee members present took preliminary action to approve a change in the bylaws recommended by COG General Counsel Lee Ruck. Based on the procedure for amending the bylaws, the committee voted to distribute the proposed bylaws revision to the full membership of the committee and to conduct a vote on approval at the Nov. 17, 2006, meeting of the committee. A simple majority vote of those present will constitute approval or disapproval, providing a quorum is present. (A quorum consists of at least three members from the committee's Maryland representatives, three members from its Virginia representatives and one member from the District of Columbia.) If the change is approved, the bylaws amendment will be forwarded to the COG Board for final approval or disapproval.

Mr. Ruck has recommended the bylaws change to allow the committee to more easily conduct official business at meetings at which a quorum is not achieved. His proposed language would establish a process whereby actions approved at such meetings can subsequently be modified, ratified or rejected by the full committee through remote means of communication. He has indicated that he will recommend the same process for all COG policy committees.

Att. Proposed bylaws revision

BYLAWS

CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS

Adopted April 14, 1999
Amended: October 12, 2005

Section 1.00

NAME

1.01

The name of this Committee is the CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE (CBPC) of the Metropolitan Washington Council of Governments (COG).

Section 2.00

AUTHORITY

2.01

The authority of the CBPC derives from Resolution 26-98 adopted by the Board of Directors of COG on September 9, 1998. The Board subsequently addressed membership of the Committee and gave it expanded jurisdiction and budget authority by Resolution R17-05, May 11, 2005.

The CBPC is the principal policy adviser to the Board on all Chesapeake Bay, Potomac River, and water resources issues, and the CBPC shall submit to the Board for its review and approval all major policies, plans, agreements, and programs relevant to these issues. The CBPC shall have oversight responsibility for administering these policies, plans, agreements, and programs receiving Board approval.

The CBPC shall annually review and approve the specifics of the work program and budget for COG's Regional Water fund.

Section 3.00

PURPOSE AND MISSION

3.01

The CBPC shall be the COG Board's principal policy advisor on matters concerning the Chesapeake Bay, the Potomac River and its tributaries, and regional water resources. The CBPC shall evaluate, monitor and participate in the activities of the Chesapeake Bay Program, and shall, under the policy parameters established by the COG Board of Directors, represent the Board's policy-making interests directly to the Chesapeake Executive Council and other appropriate Chesapeake Bay policy makers, including but not limited to the Principals Staff Committee, the Implementation Committee, the Local Government Advisory

Committee and the state regulatory agencies. The CBPC shall facilitate implementation of Bay policy in the Washington region and shall design and conduct outreach to COG member governments on Bay restoration. In doing so, the CBPC shall provide regular updates to the COG Board of Directors. The CBPC shall prepare an annual report on its activities for the year and recommendations for the future.

3.02

Areas of responsibility shall include, recommending, advocating and coordinating Bay Program policy issues on behalf of COG members, as well as educating COG membership about the Bay Program. The CBPC shall develop and coordinate an effective arrangement with the Bay Program to ensure that local governments in the Washington metropolitan region have substantial influence in the development of future Bay Program policies and maintain active involvement at the technical level.

Section 4.00

MEMBERSHIP AND TERMS

4.01

The CBPC shall be composed of the following voting members appointed annually by COG member governments:

- a) one elected official serving on the legislative bodies of each COG member government except Fairfax County which shall have two representatives; and
- b) one elected executive or designated senior manager each from:
 - 1. The District of Columbia,
 - 2. Montgomery County, and
 - 3. Prince George's County.
- c) the general manager or a designated senior manager from any water and/or wastewater utility that contributes to COG's Regional Water Fund.

4.02

Alternates to Voting Members

Each member represented on the CBPC may be represented by an alternate. Except for elected executives, alternates to local elected officials to the degree practicable should be other elected officials. Members and alternates shall be appointed by the governmental unit or utility they represent and shall serve until replaced by the body appointing them.

4.03

Non-Voting Members

The CBPC shall, at its discretion, invite certain interested parties to designate a non-voting member of the Committee, who may actively participate in all Committee business with the exception of formal votes. Representatives of interested parties may be invited, at the discretion of the CBPC Chair, to participate in a specific meeting in which their perspective or input would assist the Committee in its actions.

Section 5.00

OFFICERS

5.01

The presiding officer of the CBPC shall be an elected official representing a member government and shall be appointed annually by the Chair of the COG Board. The term of office shall be for one (1) year, with the possibility of reappointment for a second year at the discretion of the COG Board Chair. Insofar as practicable, the position of Chair shall rotate among member governments from the three (3) state jurisdictions. For purposes of Section 5.00, the District of Columbia, the Commonwealth of Virginia and the State of Maryland each constitute a state jurisdiction.

The CBPC shall annually select two Vice Chairs. Each Vice Chair shall represent a member government from a state different from that of the Chair and that of the other Vice Chair.

5.02

If a vacancy occurs in the office of Chair, his or her successor shall be appointed by the Chair of the COG Board from the same state to complete the unexpired term. A vacancy in the office of Vice Chair shall be filled by the vote of the CBPC, chosen from the same state to complete the unexpired term.

Section 6.00

DUTIES OF OFFICERS

6.01

The Chair of the CBPC shall preside at all meetings and shall perform such other duties that the CBPC from time to time shall assign.

6.02 The Vice Chairs shall act to discharge the duties of the Chair in the absence of inability of the Chair to act, in the rotational order set forth in Section 5.01, above.

Section 7.00 QUORUM AND VOTING PROCEDURES

7.01 Seven (7) members or their alternates representing COG member governments shall constitute a quorum of the CBPC. Of this number, there shall be at least three (3) members or alternates from Maryland; three (3) members or alternates from Virginia; and one (1) member or alternate from the District of Columbia. For purposes of this section utility members are counted in determining the existence of a quorum, relying upon primary place of business, or primary service area.

7.02 When a quorum of the CBPC is present at any meeting, the vote of the majority of the CBPC members (or their officially designated alternates) present and voting shall decide any question brought before the Committee.

New 7.03 A Sense of the Committee of the Whole Resolution may be submitted to the CPBC electronically for consideration. The Resolution, plus all the written and any other electronically reproducible background material submitted to the Committee of the Whole, shall be transmitted electronically to all members of the CPBC by the staff no less than 7 nor more than 10 days after the vote of the Committee of the Whole. Staff shall also give the CPBC specifics of the vote of the Committee of the whole, including the identities of all persons voting, yea, nay, or abstaining. Persons who voted nay or who abstained shall have the right to have a position paper in opposition submitted to the CPBC. Such a paper will be forwarded by the staff if received within 7 calendar days of the vote of the Committee of the Whole.

Members of the CPBC may vote for or against the Resolution, or abstain therefrom, on a form or in a manner provided by the staff. Votes received no less than 10 days nor more than 21 days after the vote of the Committee of the Whole will be tallied by the staff and results reported electronically. For the Resolution to become legally effective it must receive yea votes from a majority of the CPBC, including at least 3 votes from Maryland, 3 votes from Virginia, and 1 vote from the District of Columbia.

COMMITTEES

8.01

Technical Committees

The Water Resources Technical Committee (WRTC) shall serve as the principal technical advisor to the CBPC. The CBPC may also consult with other technical subcommittees created:

- a) by the COG Board and its policy committees,
- b) by the Metropolitan Washington Air Quality Committee (MWAQC), and
- c) by the Transportation Planning Board (TPB).

8.02

Other Groups or Units

The development and implementation of CBPC policies, plans, agreements, and programs will require, from time to time, the establishment of groups or units other than Technical Committees, especially those involving non-government representation. Such groups or units shall report no less than annually to the CBPC regarding their missions and work plans.

New 8.03

Committee of the Whole

At the call of the Chair, or upon majority vote of members present irrespective of quorum, a meeting of the CPBC may convene as a Committee of the Whole to consider and discuss any matter then pending before the CPBC or any new matter submitted by the Chair. The Committee of the Whole may, by motion, seconded, and approved by majority vote of the members present, adopt a Sense of the Committee Resolution on any matter so considered. Such a Sense of the Committee Resolution shall have no legal force and effect but may be communicated to other entities to represent the interim and informal position of the Committee. Upon separate motion and second, such a Resolution may be submitted for formal electronic voting by the Committee pursuant to 7.03 herein.

8.034

The CBPC may establish other Technical Committees as it deems necessary to carry out its business, consistent with the goals and resources specified in the COG annual budget.

Section 9.00

AMENDMENT TO THE BYLAWS

9.01

These Bylaws are derivative of and based upon policies of the COG Board and can only be changed by the Board itself.

9.02

These Bylaws may be recommended for amendment pursuant to the following procedures:

- a) with the approval of the majority of those voting members of the CBPC present and voting, a proposal to amend the Bylaws introduced at any regular meeting of the Committee, shall be recorded in the minutes; and
- b) a special written notice setting forth such proposal shall be circulated to every member of the CBPC at least ten (10) days before the next regular meeting.
- c) The amendment shall be acted upon at the next regular meeting following the meeting at which it was proposed. A majority vote of the members present and voting of the CBPC shall be required for adoption. The proposed amendment will then be forwarded to the COG Board for consideration.

Section 10.00

RULES OF PROCEDURE

10.01

Parliamentary Procedure

Except as provided otherwise by these Bylaws, the COG Board Rules of Procedure, and secondarily, Roberts Rules of Order, Revised, shall be the parliamentary authority for the conduct of meetings of the CBPC. If these are silent, the Committee Chair shall declare the appropriate procedure which shall stand for the duration of the meeting announced unless overruled by a majority vote of members present and voting.

10.02

Meetings

The CBPC shall meet at a frequency necessary for the conduct of its business set by Committee Resolution adopted at the first meeting of each year or at the call of the Chair.

10.03

Meeting Summaries

COG staff shall prepare draft meeting summaries for adoption by the CBPC at the next available meeting time subsequent to the meeting for which the summary was prepared. The CBPC shall review and revise the meeting summaries as necessary, which, upon adoption, shall constitute the official CBPC record of actions and other deliberations.

Section 11.00

BUDGET PROCESS

11.01

The Committee shall annually review and adopt a work program and budget for COG's Regional Water Fund as recommended by the WRTC. The committee shall afford COG's Environment and Public Works Directors Committee an opportunity to review and comment on the draft work program and budget.



Local governments working together for a better metropolitan region

Nov. 17, 2006

DRAFT (Att. 7)

Rebecca Hanmer
Director, EPA Chesapeake Bay Program Office
410 Severn Ave, Suite 109
Annapolis, MD, 21403

District of Columbia

*Bladensburg**

Bowie

College Park

Frederick

Frederick County

Gaithersburg

Greenbelt

Montgomery County

Prince George's County

Rockville

Takoma Park

Alexandria

Arlington County

Fairfax

Fairfax County

Falls Church

Loudoun County

Manassas

Manassas Park

Prince William County

**Adjunct member*

Subject: Bay Program Reorganization

Dear Ms. Hanmer:

As the Chesapeake Bay Program considers reorganization, the members of the Chesapeake Bay and Water Resources Policy Committee (CBPC) of the Metropolitan Washington Council of Governments add our voices to those calling for a greater emphasis on implementation, particularly at the local government level.

Within the watershed as a whole, it is clear that, despite significant progress, reduction efforts will fall short of the 2010 targets set by the Chesapeake 2000 Agreement. Any re-organization effort that simply redraws the lines on an organizational chart will not address this shortfall. The focus of re-organization efforts should be on how to continue the implementation of practices that will further reduce nutrients and sediment and to do so in a way that recognizes the complexity of the task at hand. In some sectors, such as agriculture, simply providing more money for “best management practices” could accelerate progress. In other sectors, such as wastewater, the biggest challenge may be in negotiating realistic implementation schedules. Within all sectors, the same set of criteria should be used to establish priorities for implementation.

To address the funding challenge, the Bay Program partners should make better use of existing dollars at the local, state and federal levels and continue to lobby, despite setbacks to date, for more federal funds. Local governments are a largely untapped resource in this lobbying effort.

We have five specific recommendations:

1. The Bay Program should analyze the budgets of the Bay partner jurisdictions (both federal and state) to determine how much is spent on actions that actually result in reducing pollution.

2. The Bay Program should propose ways to increase the share of current dollars that are spent on implementation activities.
3. The Bay Program partners should develop realistic implementation plans in conjunction with local governments and wastewater utilities.
4. The Bay Program's Local Government Advisory Committee (LGAC) should be tasked with developing a unified message that local governments can voice on the need for greater federal funding for Bay restoration work.
5. The Bay Program should work to improve information flow between local governments and Bay Program partners. This includes information on funding availability and technical tools for manipulating and disseminating information on land use, imperviousness and other factors.

These recommendations build upon those made by the LGAC in its recent report to the Chesapeake Executive Council. They reflect the insights of Fairfax County Supervisor and CBPC committee member Penelope Gross – who chairs the Local Government Advisory Committee – as well as those of other elected officials in the Washington region.

I appreciate this opportunity to offer our perspective on the Bay Program's plans for reorganization.

Sincerely,

John R. Lovell, Chair,
Chesapeake Bay and Water Resources Policy Committee,
Metropolitan Washington Council of Governments