



Local governments working together for a better metropolitan region

Chesapeake Bay and Water Resources Policy Committee

Date: Friday, March 14, 2008

Time: 10:00 a.m. – 12 noon *

Place: Rooms 4-5, Lobby Level
777 North Capitol Street, NE
Washington, DC 20002

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

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

Meeting Agenda

- 10:00 1. Introductions and Announcements..... Hon. Martin Nohe
Chair, Prince William County
• Stormwater Workshop
10:05 2. Approval of Meeting Summary for Jan. 18, 2008 Chair Nohe
Recommended action: Approve DRAFT Meeting Summary (Att. 2).
10:10 3. Update on Greater Washington 2050 Paul DesJardin, Chief of
Housing and Planning
..... Ted Graham, COG
Water Resources Director

Members of the Greater Washington 2050 Coalition reached broad consensus on the goals of this regional initiative at their first meeting Feb. 21 (Att. 3). Mr. DesJardin will brief the committee on the schedule and work plan for the coalition. Mr. Graham will outline COG staff ideas for ensuring that water quality is among those parameters that will shape how the coalition evaluates the future of the region.

Recommended Action: Provide guidance to CBPC's GW 2050 representatives on elevating the significance of water quality as an issue for the coalition.

- 10:35 4. Discussion of Bay Commission's Congressional Agenda .. Ann Swanson, CBC
Executive Director (invited)

The Chesapeake Bay Commission released a special report in February (Att. 4) detailing its priorities for federal legislative actions to benefit Bay restoration efforts. Ms. Swanson has been invited to discuss this list.

Recommended action: Determine if COG should support any of the Commission's legislative priorities and, if so, make appropriate recommendations to the COG Board.

11:00 5. **Discussion of Potential Committee Tour** Chair Nohe, members

COG staff is recommending that the committee tour the Blue Plains Advanced Wastewater Treatment Plant, which is the largest wastewater plant in the Chesapeake Bay watershed. The tour would focus on efforts to upgrade the plant's nutrient removal technology.

Recommended action: Confirm destination for tour and provide staff with guidance on scheduling and other arrangements.

11:15 6. **State Legislative Update** COG staff

Based on a recommendation from the CBPC, the COG Board took action on Bay restoration funding bills in the Virginia and Maryland legislatures (*Att. 6*). COG staff will summarize the outcome of final legislation in the Virginia General Assembly and the status of legislation still pending in the Maryland General Assembly.

Recommended action: Direct staff to continue to track these legislative funding efforts and to report back to the committee as appropriate.

11:30 7. **Progress Report from the Anacostia Watershed Restoration Partnership** Mr. Graham

In June 2006, based on a recommendation from the CBPC, the COG Board passed Resolution R28-06, which established a new leadership structure, to be known as the Anacostia Watershed Restoration Partnership to oversee restoration activities. Mr. Graham will review the progress made since then on implementation of a comprehensive plan and development of a new institutional structure for overseeing the effort.

Recommended action: Receive briefing.

11:45 8. **Updates** COG staff

- Potomac Monitoring Forum
- Bay Program governance structure

11:55 9. **New Business** Members

12:00 10. **Adjourn**

The next meeting is scheduled for Friday, May 16, 2008, 10 a.m. - 12 noon.

Enclosures/Handouts:

- | | |
|--------|--|
| Item 2 | DRAFT meeting summary of Jan. 18, 2008 |
| Item 3 | Greater Washington 2050 Coalition E-Update No. 1, February 26, 2008 |
| Item 4 | Chesapeake Bay Commission Special Report, Congressional Agenda 2008-2010 |
| Item 6 | COG Board resolutions R 7-08E and R 7-08F |

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

MINUTES OF JANUARY 18, 2008, MEETING

ATTENDANCE:

Members and alternates:

Chair Martin Nohe, Prince William County
J Davis, City of Greenbelt
Penelope Gross, Fairfax County
Barbara Favola, Arlington County
Tim Lovain, City of Alexandria,
Sheila Besse, District of Columbia
Meo Curtis, Montgomery County
Beverly Warfield, Prince George's County
Carole Larsen, Frederick County
Mark Charles, City of Rockville
Mohsin Siddique, District of Columbia WASA
J. L. Hearn, WSSC

Staff:

Stuart Freudberg, DEP Director
Ted Graham, DEP Water Resources Program Director
Steve Bieber, DEP
Tanya Spano, DEP
Heidi Bonnaffon, DEP
Karl Berger, DEP

1. Introductions and Announcements

In the Chair's temporary absence, Vice Chair J Davis called the meeting to order at 10:05 a.m. Chair Nohe joined the meeting a few minutes later.

Although delayed until later in the meeting, Chair Nohe eventually called for announcements. Steve Bieber of COG staff noted that COG will be hosting a Potomac River water quality monitoring forum on March 10-11. He said the forum is designed to produce recommendations on the future direction of the region's monitoring efforts.

Mr. Berger circulated the proposed meeting schedule for the year, which was based on meetings on the third Fridays of January, March, May, July, September and November.

Action item: Committee members directed staff to change the date of the March meeting from March 21 to March 14 to avoid conflicts with the weekend of Easter.

2. Approval of Meeting Summary for Nov. 30, 2007

The committee approved the draft summary.

3. Selection of Committee Vice Chairs for 2008

Action item: The members voted to extend the terms of J Davis as vice chair for Maryland and Hamid Karimi as vice chair for the District of Columbia.

4. Climate Change, Green Building and Water Quality

Mr. Graham of COG staff distributed a memo that he had written for COG's Climate Change Steering Committee, which outlines how climate change is expected to affect water and wastewater treatment agencies and the priorities these agencies have developed at the national level for research on this issue. Mr. Graham noted that he recently attended a workshop on this issue sponsored by the national research arms of the water and wastewater industries.

Mr. Graham listed a number of challenges that climate change may pose for such agencies in the Washington region. These include the potential for disruption to water supplies caused by unusually severe drought, the potential salinization of ground water supplies in coastal areas and the likely need to decrease the "carbon footprint" or the amount of energy use and associated greenhouse gas emissions, of the plants themselves.

Discussion: Mr. Siddique noted that greenhouse gas emissions arise not just from the energy used by such plants, but also from the treatment process itself, particularly in the case of wastewater plants. He said there may be a trade off between increasing levels of treatment for water quality benefits and the increased amounts of carbon dioxide and methane, both potent greenhouse gasses, that such treatment will generate.

Mr. Lovain said a recent article in *Governing* magazine discussed the impact that the increasing frequency of so-called "100-year storms" may have on municipal stormwater systems. The likely increase in such extreme weather events has for the most part not been taken into account in this area, he said.

Ms. Favola said that climate change should be a priority issue for the CBPC because it is a way to address at a broader level a lot of the issue in which the committee is interested. Ms. Davis said she agrees to a point; however, she is concerned that water quality issues may be lost in the broad focus on climate change.

Mr. Freudberg noted that the water quality-climate change connection is also being addressed in another COG forum. COG's Green Building initiative recently produced a series of reports that recommend adoption of regional standards that include innovative approaches to stormwater management designed to minimize the amount of runoff leaving developed areas.

Ms. Favola asked if future changes in land use in the region, which has implications for both climate change and water quality, is being addressed by COG, whether in the Greater Washington 2050 initiative or by other committees, such as the Metropolitan Development Policy Committee. She said she would like to see a specific standing committee take on the climate change issue rather than have it be addressed by ad hoc groups or through the Greater Washington 2050 process.

Mr. Freudberg noted that there is interest in assessing whether the current committee structure is appropriate to the range of issues confronting the region. He said the Board has directed staff to review the committee structure and has tentatively scheduled a discussion of this issue for its July retreat. One of the revisions being suggested is to recreate an overall environmental policy committee, which COG has had in the past, to deal with cross cutting issues such as climate change.

Chair Nohe said he would be opposed to creation of such a new committee if it is simply added on to the existing committee structure. He said it would make more sense to create an environmental policy committee with

multiple responsibilities, although that could lead to fights over what part of the environment on which to focus.

Earlier in his presentation, Mr. Graham had noted that climate change issues will be woven into the fiscal 2009 work program for the Regional Water Fund, so members will have the opportunity to address it again there.

5. Committee Focus for 2008

Mr. Berger briefly outlined staff recommendations for the committee's priorities in 2008, which were based on a continuation of most of the 2007 list.

Discussion: Chair Nohe asked that the committee take a further look at the water quality issues associated with septic systems (which was the subject of one presentation to the committee in 2007). In particular, he said, he would like to focus on whether local governments use the provision of sewer service as a de facto growth control tool and what are the environmental implications of such a practice. Ms. Curtis noted that Montgomery County recently conducted a study on the implications of extending sewer service to institutions that are located outside of the area currently served by sewer systems. Mr. Hearn noted that under Maryland law utilities must provide service to properties that are located next to existing sewer lines.

Ms. Gross noted that the distinction in the staff recommendations between advocacy for funding and local government voice is somewhat artificial and said that the two items be combined.

Mr. Berger noted that staff is again recommending a committee tour as part of the focus document, despite limited attendance at tours during the past two years. Members agreed to keep the possibility of a tour as part of the committee's focus for now, but they said that it is very difficult to commit to an entire day for such an event.

Action item: The committee directed staff to revise the priorities list to include the septic system issue and to combine the committee's advocacy and funding roles into one overall priority.

6. Introduction to Water Quality Metrics

Mr. Berger distributed a staff memo that outlines potential indicators of water quality that could be used as part of the Greater Washington 2050 effort to evaluate future growth scenarios.

Mr. Freudberg noted that Greater Washington 2050 is supposed to examine the impacts of so-called alternative growth scenarios in which the pattern of new development is different than what is currently predicted. Ms. Favola asked if this analysis would be done at a local level; not necessarily, according to Mr. Freudberg. He also said that such scenarios typically have not accounted for all of the growth that occurs just outside the borders of the COG region.

Staff did not ask for any committee action on the list of potential indicators. Mr. Berger said that COG's Water Resources Technical Committee will be asked to provide feedback on the list to the CBPC.

7. Response to Concerns about Local Government Role

Ms. Gross distributed a summary of the Chesapeake Executive Council meeting held in December in Annapolis, in which she participated as chair of the Bay Program's Local Government Advisory Committee. She noted that her remarks to the EC members as LGAC Chair focused on the continuing lack of connection between state and local governments. The LGAC, she said, proposed creation of a circuit rider program that could improve the

sharing of information among local government officials. She also commented briefly on Bay Program restructuring proposals, stressing the importance of continuing the LGAC as a separate committee. (COG commented on this issue in 2007 in a letter to Bay Program Director Jeff Lape.)

8. Legislative Update

Mr. Bieber briefed the members on the status of efforts in the Maryland General Assembly to define how the new Chesapeake Bay Trust Fund created during the legislature's special session in the fall would actually work. He said Del. Maggie McIntosh has introduced a bill that would allocate a portion of the funds among different state agencies and distribute the remainder to potential recipients including local governments in a grant process overseen through the new BayStat criteria. He added that staff recommends that COG adopt a position that would call for as much of the money as possible be used for implementation activities at the local level.

Ms. Curtis noted that most of the money for the fund would be derived from taxes and fees in the urban areas of the state and yet it is not clear how much of its money would be spent in these areas on stormwater projects. She suggested that COG adopt the same position on the fund as have the Maryland Association of Counties and the Maryland Municipal League, which are asking that a specific percentage be set aside for local government projects.

Mr. Berger briefed the members on legislation in the Virginia General Assembly, concentrating on proposals to create a new fund to support the implementation of agricultural water quality practices. Although COG support for such legislation would be consistent with existing policy, he noted, the members might want to condition support on the caveat that the new fund not siphon funding from the existing Water Quality Improvement Fund, which is used to pay the state's share of cost-share agreements with municipal wastewater plants for the implementation of enhanced nutrient removal technology.

Action item: The members agreed to recommend to the COG Board support for the two bills noted, with the caveats reflected in their discussion.

9. New Business

Mr. Bieber distributed a summary of a research project on pesticide use in the District of Columbia that COG is conducting with George Washington University with support from the District's Department of the Environment. He said results should be available in the fall of 2008.

10. Adjourn

The meeting was adjourned at 12:05 p.m.



Greater Washington 2050

Coalition E-Update No. 1, February 26, 2008

Dear Greater Washington 2050 Coalition Members and Friends:

More than 25 diverse regional leaders assembled at the Metropolitan Washington Council of Governments (COG) on Thursday, February 21 to kickoff an exciting new regional initiative – **Greater Washington 2050**. Thank you for agreeing to serve on the Greater Washington 2050 Coalition. If you were able to attend this important launch, thank you and we hope that you will continue to support and guide this work; if you were unable to attend, don't worry, there will be plenty of opportunity to stay involved going forward.

What is Greater Washington 2050?

Greater Washington 2050 is a new regional initiative to improve the quality of life for Washington area residents in the next 50 years by fostering stronger regional awareness, leadership and action today and in the next few years. Led by COG and a coalition of public, business, civic and environmental stakeholders, Greater Washington 2050 will build on what many people now believe is an opportunity for convergence of agreement on big issues of growth, transportation and the environment. Greater Washington 2050 will identify actions that advance areas of agreement, assess progress and measure performance. In short, Greater Washington 2050 seeks to shape the future by supporting sound regional action today.

Meeting Outcomes

Greater Washington 2050 Coalition chairman Sharon Bulova outlined proposed activities, followed by a facilitated discussion led by Gerrit Knaap of the University of Maryland. Ami Liu from the Brookings Institution highlighted its “Blueprint for American Prosperity – Unleashing the Potential of a Metropolitan Nation”. Coalition members broadly supported:

- Finding areas of agreement in planning in the National Capital Region.
- New regional alternative growth scenarios that show changes today can affect the outcomes tomorrow.
- A new regional compact, perhaps modeled on the “Mile High Compact” adopted in the Denver region and aggressive measures of progress and implementation.
- A communications plan that seeks the input of area residents, including young people who will be the leaders in 2050, and ensures that Greater Washington 2050 actions and initiatives have impact on individuals, families, communities and the region as a whole.

Next Meeting/Please Mark Your Calendar

Date/Time: Friday, March 28; 10:00 a.m. to 12:00 noon

Location: COG, 777 North Capitol Street NE, Suite 300, Washington, DC 20002

- Lessons learned from other regions --- how can stakeholders find convergence on broad regional goals and objectives, and how can agreement on goals translate into public support and government action?
- Preliminary report by a communications work group on models and technology that have proven effective in engaging the public and groups not easily reached through meetings and surveys.

Future Meetings/Please Mark Your Calendar

- Friday, **April 25**; Thursday, **May 23**; Thursday, **June 26**; Friday, **July 18**.
- All meetings begin at 10:00 a.m. and will end by 12:00 noon, and are located at COG.
- Dates for the balance of 2008 will be announced at future meetings.

More Information

Background information on Greater Washington 2050, a list of Coalition members, reports and presentations, and useful web links can be found on the COG web site, www.mwcog.org.

Greater Washington 2050 Staff Contacts

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CHESAPEAKE BAY COMMISSION SPECIAL REPORT • *February 2008* Congressional Agenda 2008–2010

Dear Member of Congress:

The members and staff of the Chesapeake Bay Commission commend the Bay area Congressional Delegation for its tremendous support of the Chesapeake Bay restoration effort in 2007 and in previous years.

We especially applaud you for your leadership in securing unprecedented new funding in the Farm Bill to help farmers implement conservation programs in the Bay watershed. We urge you to work to ensure that these agricultural conservation programs continue to be funded at the highest levels possible.

We also greatly appreciate your efforts to restore and provide funding for programs that are making real on-the-ground and in-the-water advances: EPA's targeted and small watersheds programs, the National Park Service's Gateways Program, NOAA's B-WET and Interpretive Buoy System, and oyster restoration programs, as well as the Army Corps of Engineers' Chesapeake environmental restoration programs, to name a few. In view of the difficult budget situation and the challenges of moving new initiatives through the Congress, these were indeed significant accomplishments.

Continued on next page

In addition, we want to thank you for expanding the Chesapeake Bay programs of the U.S. Army Corps of Engineers in the Water Resources Development Act including Blue Plains' sewage treatment, oyster restoration, Poplar Island and Chesapeake Bay Environmental Restoration and Protection Programs.

We share your frustration with the level of progress that has been made thus far and value your efforts to bring more accountability to the Bay Program. The Farm Bill programs, if fully implemented, should help bring the Bay Program closer to meeting its nutrient reduction goals, but stormwater runoff, the impacts of population growth and development and climate change, and the continued loss of habitat and living resources must all be addressed as well. This is an extraordinary endeavor and all local governments and citizens will need to be involved.

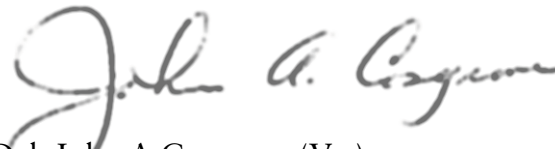
Over the next three years, we ask that you pursue legislative changes to refocus the Bay Program to address these needs. Set forth in this report are the priorities of the Commission for the remainder of the 110th Congress and for the 111th Congress. Programs that result in land conservation and the prevention or reduction of pollution should be given priority.

We acknowledge that this is a big list, but it reflects the scope and complexity of Federal support. We hope that you can use it to guide you as you pursue legislative opportunities. We will support you in your efforts while we continue to work within our states to get the job done.

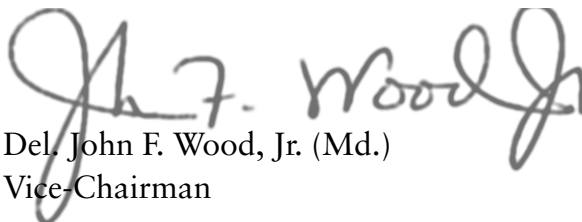
Sincerely,



Rep. Arthur D. Hershey (Pa.)
Chairman



Del. John A Cosgrove (Va.)
Vice-Chairman



Del. John F. Wood, Jr. (Md.)
Vice-Chairman

Congressional Agenda 2008–2010

Federal Requests For The Chesapeake Bay And Its Tributaries

Executive Summary

Authorization Bills

- Support the highest levels of conservation assistance in the conference agreement on the Farm Bill.
- Reauthorize the EPA Chesapeake Bay Program, refocus the program on a river-by-river strategy, and improve accountability.
- Reauthorize the Chesapeake Bay Gateways and Watertrails Program.
- Co-sponsor the No Child Left Inside Act including its funding provision.
- Expand the authority of the U.S. Army Corps of Engineers to address stormwater runoff and help restore Chesapeake Bay rivers and streams in the Water Resources Development Act of 2008.
- Reauthorize the NOAA Chesapeake Bay Program.
- Explore opportunities in the climate change legislation for using the auction of carbon credits to help finance Chesapeake Bay restoration activities.
- When the Congress considers the reauthorization of the Surface Transportation bill in 2009 currently known as SAFETEA-LU, include a new program to mitigate the impacts of stormwater runoff from highways and related impervious surfaces.

- Develop legislation to expand the role of the U.S. Forest Service in the Bay's restoration.
- Reauthorize the Clean Water Act and boost funding for the Clean Water State Revolving Fund to \$3.2 billion.
- Using existing Federal programs including the Land Water Conservation Fund, Forest Legacy, transportation funds and others, set aside funding for land conservation in the watershed.

Appropriations Bills

- Provide funding for upgrading nutrient removal technology at Blue Plains Wastewater Treatment Plant as authorized in the Water Resources Development Act (WRDA) of 2007. Also continue support for funding the District of Columbia's Combined Sewer Overflow correction plan within the District's budget.
- Support the recommendations of the Chesapeake Bay Foundation for the water quality and living resources program appropriations.
- Sustain or provide new funding for educational, public access and stewardship programs to enhance the capacity of local governments and citizens to be good stewards of the Bay. These programs include: the National Park Service's Gateways and Watertrails Program,

NOAA's B-WET (education) and CBIBS (interpretive buoy) programs, the Captain John Smith Chesapeake Bay National Historic Trail, the U.S. Forest Service's Bay Program, and a new local government circuit rider and Leadership Chesapeake Bay initiative.

- Provide funding for the Army Corps of Engineers to undertake two studies vital to the Bay: a study of the sediment behind the dams on the Susquehanna River and a Chesapeake Bay Master Plan. These studies are a necessary step for the Corps to undertake and budget for restoration projects in the Bay.
- Provide funding to the USGS to undertake a comprehensive investigation of the fish kills that have occurred in recent years in the lower Potomac and Shenandoah Rivers.

Budget Resolution

- Ensure that the Function 300 Natural Resources and Environment of the fiscal 2009 budget resolution provides sufficient funding for environmental and natural resource conservation programs. Particularly important are the Clean Water State Revolving Fund, the Army Corps of Engineers' water resource programs and the USDA's Agricultural Conservation programs.

Federal Support For The Chesapeake Bay Region

Program-By-Program Requests

For nearly three decades, the Chesapeake Bay Commission has been a leader in Bay restoration efforts. Confronting the broad range of issues that reflect countless pollution sources, land uses and human impacts on the nation's largest estuary requires a concerted effort by the Federal, state and local governments, as well as the private sector. All have a significant role to play.

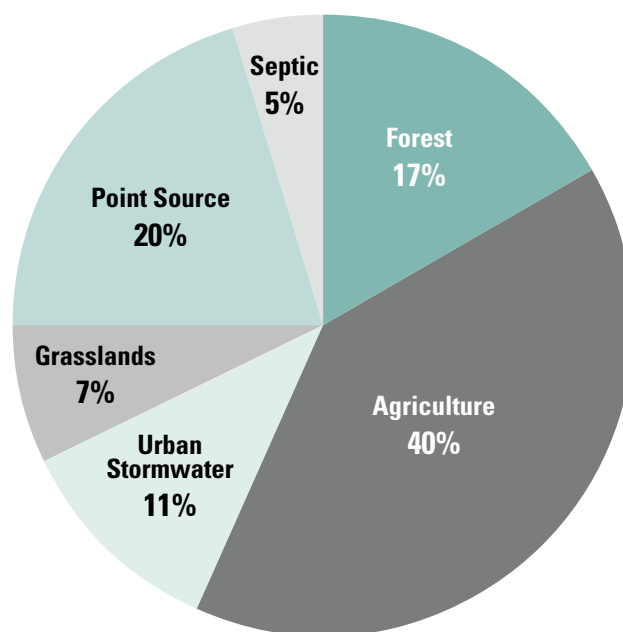
A wide array of programs is needed to protect and restore the Bay and its resources. This document is not intended to address every program. We offer this proposed Federal agenda for 2008–2010, program-by-program, as a limited set of recommendations on ways the Congressional Delegation can move Bay restoration forward over the next three years.

Farm Bill, Chesapeake Bay Agricultural Conservation

Federal financial assistance to farmers in the Bay region is critical to achieving major pollution reductions from agricultural sources and to maintaining the viability of agriculture in the region. Under the leadership of the Congressional Delegation, the House and Senate Farm Bills provide unprecedented levels of support for agricultural conservation practices in the Chesapeake Bay watershed.

As the House-Senate Conference Committee begins its deliberations on the Farm Bill, we ask for your continued help in sustaining these agricultural conservation programs at the highest

Sources Of Nitrogen Pollution To The Chesapeake Bay 2006



SOURCE: CHESAPEAKE BAY PROGRAM

possible levels. A combination of both the House and Senate versions would best serve the needs of the Chesapeake region.

We urge the Delegation to sustain the Chesapeake Bay Program for Nutrient Reduction and Sediment Control, the Regional Water Enhancement Program, and Chesapeake Bay Comprehensive Conservation Planning Pilot Program included in the House version of the bill. Also include the Chesapeake Bay Watershed Conservation Program contained in the Senate bill.

In addition, we request the Delegation's continued support for maximum increases to

the national Environmental Quality Incentives Program (EQIP). Moreover, it is essential that the Federal income tax deduction for the donation of conservation easements that was expanded in 2006 and 2007 be made permanent and we hope the Delegation will support this.

By taking the best from each chamber, we believe we can strengthen conservation, farmland protection and help restore the Chesapeake Bay.

Reauthorizing And Refocusing The EPA Chesapeake Bay Program

EPA's Chesapeake Bay Program expired in 2005. Reauthorizing the program presents a great opportunity to refocus the program, improve its accountability and move the restoration process forward. In our view, by bringing the Bay program "upstream" we can accomplish these goals and further engage local governments and citizens in this effort.

The EPA is in the process of implementing the recommendations contained in the October 2005 Government Accountability Office (GAO) report on the Chesapeake Bay entitled *Improved Strategies Are Needed to Better Assess, Report, and Manage Restoration*. In the conference report to accompany the Consolidated Appropriations bill for Fiscal 2008, the Congress also directed the EPA to develop a Chesapeake Bay action plan for the remaining years of the *Chesapeake 2000* agreement setting realistic targets, identifying activities and funding to be undertaken to meet those targets, and to track progress.

Because the health of the rivers and streams that flow into the Bay directly impacts the health of the Bay, we believe that EPA should develop



and implement action plans and report cards for each of the major rivers that flow into the Bay. If the Bay is to be restored, action must be taken on a river-by-river basis, as well. Many of the rivers and streams that drain into the Bay, and the Bay itself, are on the Federal impaired waters list. These action plans should build upon the work of the State Tributary Strategies teams which are focused on water quality improvements, but also address the other four principal Bay restoration goals: living resources, vital habitats, sound land use and stewardship and community engagement.

It is estimated that every citizen in the Bay watershed lives within a half mile of a river or stream that drains into the Chesapeake. Citizens have a right to know the condition of those rivers and streams in their communities and should be engaged in the effort to protect and restore them. Among other things, the reauthorized legislation should direct EPA to publish and widely circulate annual "River Report Cards" that describe the progress made in achieving the five principal restoration goals for each major river or river segment in the Bay watershed. These report cards would provide the public with a clear and accurate picture of the progress toward restoring these rivers and ultimately the Bay, which is currently lacking.

U.S. Army Corps Of Engineers Chesapeake Bay Program

The U.S. Army Corps of Engineers has been engaged in the Chesapeake Bay restoration effort from the beginning. It was the first agency to complete a comprehensive study of the Chesapeake Bay's water and related land resources. Since then, the Corps has undertaken or participated in a variety of important projects throughout the watershed to help improve the Bay's water resources, including: sewage treatment plant upgrades, making beneficial use of

dredged materials, removing fish blockages, mitigating the impacts of shoreline erosion and restoring wetlands, habitat and oyster reefs.

We greatly appreciate the work of the Bay area Congressional Delegation to enhance the authorities and funding of the Army Corps of Engineers over the years, including in the most recent Water Resources Development Act (WRDA) of 2007 and the Fiscal 2008 appropriations bills. We believe that there are additional opportunities in a new WRDA to further engage the Corps of Engineers in Bay restoration projects and particularly in bringing the Bay Program upstream and addressing critical stormwater runoff problems.

Accordingly we recommend that the Congress:

- Further amend Section 510 of WRDA, Chesapeake Bay Environmental Restoration and Protection Program, to:
 - designate the Patapsco, Elizabeth, Anacostia, Susquehanna and Potomac River basins as priorities;
 - direct the Corps to develop a Chesapeake comprehensive plan;
 - establish a new small watersheds restoration grants program for local governments and nonprofit organizations; and
 - add the District of Columbia and other watershed states under the list of states that are eligible for assistance.
- Expand the authority of the Corps of Engineers to cost-share in stormwater management solutions. The Corps is strictly limited under its existing policies and guidance from assisting local governments in addressing stormwater problems.
- Expand the authorities under Section 704 (b) of WRDA 1986 to enable the Corps to pursue other fish and wildlife and habitat restoration work such as seagrass beds.

NOAA Chesapeake Bay Program

The National Oceanic and Atmospheric Administration (NOAA) has been a key Federal partner in the Chesapeake Bay restoration effort since the signing of a memorandum of agreement with EPA in 1984. Congress formally authorized NOAA's role and responsibilities in the Chesapeake Bay in 1992 and established the NOAA Chesapeake Bay Office (NCBO) to coordinate the agency's various programs and activities in the Chesapeake Bay. The legislation was reauthorized in 1996 and again in 2002 as part of the Hydrographic Services Improvement Act Amendments. That authority expired in 2006 and must be reauthorized.

We commend the members of the Bay area Congressional Delegation for your strong support of NOAA over the years. The NCBO's four major programs in fisheries, habitat, integrated coastal observations and education are critical in providing the ecosystem science, coastal and living management, and environmental literacy capacity needed to meet the commitments of *Chesapeake 2000*. These programs have general authorities under NOAA, but no specific authorities. Consequently when it comes to budgeting for NOAA's Chesapeake Bay Programs, the Office of Management and Budget (OMB) has viewed programs like the Chesapeake Bay Interpretive Buoy System (CBIBS), the Bay Watershed Education and Training Program (B-WET) and similar other initiatives as "earmarks" and not within the specific budget priorities of NOAA.

We urge you to reauthorize NOAA's Chesapeake Bay Program and provide specific authority for the agency to continue its B-WET, Integrated Coastal Observing System and CBIBS programs.



Chesapeake Bay Gateways And Watertrails Program

The Chesapeake Bay Gateways and Watertrails Program expires in 2008 and must be reauthorized. We urge the members of the Bay area Congressional Delegation to identify an appropriate legislative vehicle to move this reauthorization through the House and Senate this year.

Through Fiscal 2007 the Congress has appropriated \$11.7 million in Federal funds for the program. These funds have supported more than 160 grants to communities, non-profit organizations and others throughout the watershed — funds which are matched by non-federal dollars, leveraging the Federal investment. These funds have helped to develop new access points to the Bay, such as canoe and kayak launches, wildlife observation boardwalks, interpretive signs, exhibits and kiosks, and supported projects related to the Jamestown 400 celebration and the Captain John Smith Chesapeake National Historic Trail.

Today, the network encompasses more than 150 sites in six states and the District of Columbia, visited by more than 10 million people each year. These sites include some 20 National Parks and Wildlife Refuges, 45 state and local parks or trails, more than 20 watertrails, and over 30 museums, historic buildings, historic vessels, and historic communities. But the Chesapeake Bay watershed is huge — 64,000 square miles — and there are still significant gaps in on-site interpretation, large deficiencies in public access, and a great need for new strategies to engage visitors and residents alike in Bay conservation.



A draft special resources study published by the National Park Service in August 2004, but never formally submitted to the Congress, recommended that the Gateways Program be made a permanent part of the National Park Service.

No Child Left Inside Act

The Bay's future depends on a well-educated public to be good stewards of the Bay and to make well-informed decisions. Recognizing the critical importance of environmental education, the Chesapeake Bay Foundation and other non-profit organizations have worked to educate hundreds of thousands of students and teachers in the watershed, providing classroom and field experiences, teacher training, and restoration and



schoolyard habitat projects.

The signatories to the *Chesapeake 2000* agreement committed to “provide a meaningful Bay or stream outdoor experience for every school student in the watershed before graduation from high school” beginning with the class of 2005. Vital support for environmental education has also been provided by NOAA’s B-WET Program — the first federally funded environmental education program focused solely on the Chesapeake Bay watershed.

Important as all these efforts and programs are, they still only reach a very small percentage of the more than 3.5 million K-12 students in the watershed. To complicate matters, in recent years math and reading instruction has crowded out environmental education programs at many schools — one of the unintentional consequences of the No Child Left Behind Act’s testing require-

ments. This is despite the fact that research has shown that environmental education leads to improved student performance in these core subjects. Support for environmental education at all levels — Federal, state and local — must be expanded.

Legislation has been introduced in both the House and Senate (H.R. 3036 and S. 1981) which would, for the first time, provide significant Federal support for states to offer high-quality environmental education. Entitled The No Child Left Inside Act, the bills authorize \$100 million a year to states to develop and implement environmental and outdoor education programs to ensure that every student graduates from high school environmentally literate. This legislation is important for the Bay, but also to help address the broader environmental challenges facing our nation. The legislation is supported by a broad coalition of more than 150 environmental, educational, business and public health organiza-

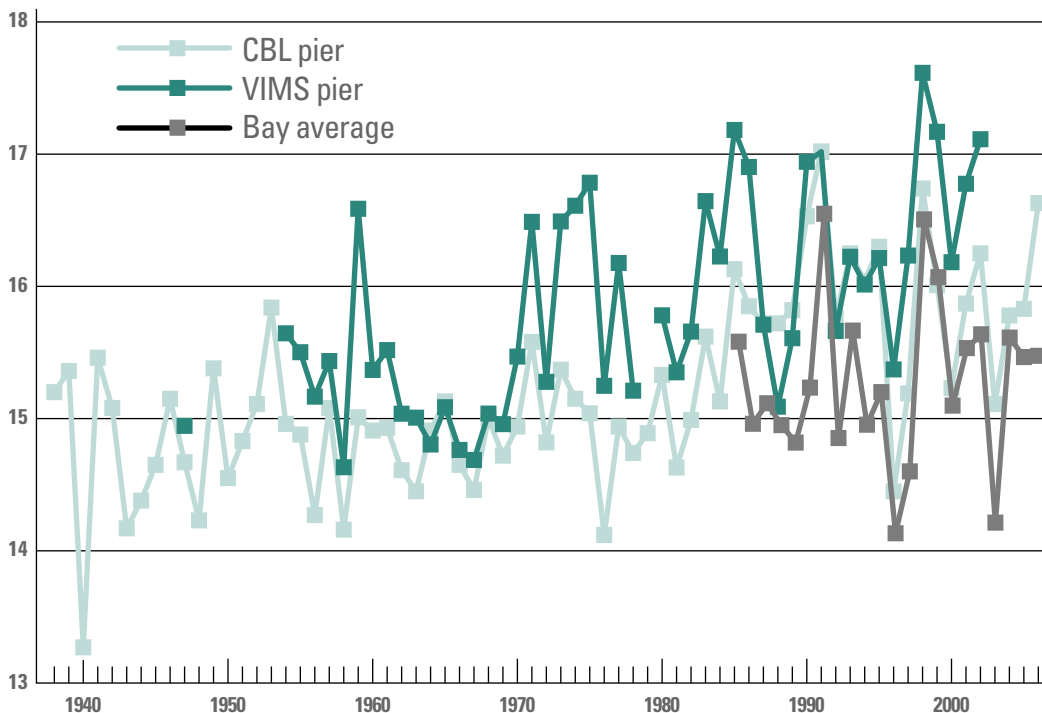
tions across the country. We urge members of the Bay area Congressional Delegation to co-sponsor the legislation and include its provisions in the reauthorization of the Elementary and Secondary Education Act (No Child Left Behind Act).

Climate Change Legislation

A report released in December 2007, by the Pew Center on Global Climate Change on the regional impacts of climate change, found that “climate change is likely to significantly complicate the achievement of environmental management objectives for the Chesapeake Bay.” The case study on the Bay examined the potential impacts of climate change on hypoxia and concluded that “many of the anticipated changes (increased streamflow, warmer temperatures, calmer summer winds,

Warming Waters Of The Chesapeake

Temperature (°C)



Average annual surface water temperatures at Chesapeake Biological Laboratory (Patuxent River) and Virginia Institute of Marine Science (mouth of York River), plus Bay average over the mainstem Bay.

SOURCE: G. ANDERSON, H. AUSTIN AND VIMS SCIENTIFIC DATA ARCHIVE (VIMS PIER); D. SECOR AND R. WINGATE (CBL PIER); D. JASINSKI AND CHESAPEAKE BAY PROGRAM OFFICE (BAY AVERAGE).

and increased depth due to sea-level rise) would move the ecosystem in the direction of worsening hypoxia” and more frequent and larger low-oxygen dead zones that negatively impact fisheries and tourism.

The National Wildlife Federation and the Chesapeake Bay Foundation also released reports in 2007 that concluded that fish and wildlife in the Chesapeake Bay are being affected by climate change and rising sea levels are already impacting the Bay’s marshlands, seagrasses and low lying communities.

Legislation has been introduced in the House and Senate which would create “cap and trade” market-based greenhouse gas reduction programs similar to the trading program established under the Clean Air Act for acid rain reduction. Under a bill that was recently approved by the Senate Environment and Public Works Committee, a portion of the revenues from the auction of carbon credits would be set aside for restoration activities “in large-scale estuarine ecosystems, such as Chesapeake Bay and Long Island Sound” that are impacted by climate change.

We urge the Bay area Congressional Delegation to explore all opportunities to ensure that dedicated funds are set aside for restoration of the Chesapeake Bay in any climate change measures that are finally approved by the Congress.

At the same time, we also urge the Congressional Delegation to continue and expand its oversight role in evaluating the actions of Federal agencies with respect to climate change. Congressional hearings, such as those held in 2007 by the Senate Environment and Public Works Committee, encourage agencies to advance their consideration of these issues and develop a foundation for coordinated action.

SAFETEA-LU Stormwater Runoff Program

A report completed in September 2007 by the EPA Inspector General at the request of Senator Barbara Mikulski found that runoff from developed lands accounts for up to 30 percent of nutrient and sediment loads to the Chesapeake Bay. In addition to development, runoff from highways and related facilities constitutes a major part of that water pollution problem. It is estimated that runoff from highways in the Chesapeake Bay region contributes nearly 7 million pounds of nitrogen, 1 million pounds of phosphorous and 167,000 tons of sediment annually to the Bay.

While states are required to meet EPA stormwater regulations in constructing new highways, no such requirement exists to mitigate pollution from existing highways and associated paved surfaces. States are allowed to use Federal-aid highway funds for this purpose, but few states do because of competition with other state priorities.

Congress has recognized the need to help states and localities meet Federal Clean Air Standards by establishing the Congestion Mitigation and Air Quality Program in previous Surface Transportation bills. A comparable program is needed to help Bay area states and localities meet water quality standards stemming from the stormwater impacts of Federal-aid highways.

During consideration of the Federal Transportation act, SAFETEA-LU in 2005, the full Senate approved an amendment by Senator John Warner to set aside 2 percent of surface transportation program funds for a national stormwater mitigation program. Unfortunately, the amendment was struck from the final Conference Agreement.

We urge the Bay area Congressional Delegation to revisit this proposal during the reauthorization of SAFETEA-LU, either as a national initiative, or specifically for the Chesapeake Bay region.



Land Conservation

There is an undeniable link between the health of the waters of the Chesapeake Bay and our stewardship of huge areas of land that comprises its watershed. The land-to-water ratio is larger than nearly any other estuarine water body in the world. With a water surface for the tidal Bay of only 4,000 square miles and a watershed of 64,000 square miles, land surface exceeds water surface by more than 16 times. How we treat the land profoundly influences the quality of the water. Thus, land conservation may very well be the most important factor in the success or failure of our efforts to restore and protect the Chesapeake Bay.

Federal funding has been an invaluable component of the states' land preservation accomplishments to date. This includes funding

for Federal units such as national parks, forests and wildlife refuges, as well as grants to state and local governments and nonprofit organizations. It will be important to maintain, if not increase Federal funds available for land conservation within the watershed if we are to keep pace with the impacts of development.

The opportunities for expanding the availability of Federal land conservation funds are many, and include:

- maximizing the participation of the watershed states in the Forest Legacy Program and the Farm and Ranch Lands Protection Program;
- expanding the use of Federal transportation funds for land and easement acquisition leveraging state conservation dollars to the maximum degree possible; and,
- Increase investment of both Federal acquisition and state grants funding through the Land and Water Conservation Fund and the Coastal and Estuarine Land Conservation Program.

Chesapeake Bay Watershed Forestry Program

Forests serve as natural filters and have been found to do more than any other type of land cover to protect the Bay's water quality. Unfortunately, forest loss and fragmentation are occurring rapidly in the Chesapeake Bay region. A report released in September 2006 by The Conservation Fund and USDA Forest Service found that 100 acres of forest a day are lost to development in the Bay watershed. Nearly 10 million acres of additional forests will be converted in the next 22 years if current trends continue. The result is a regional forest land base that is swiftly losing its capacity to protect the health of the watershed and provide other ecological benefits, such as controlling stormwater runoff, erosion and air pollution, all critical to the Bay clean-up effort.

Chesapeake 2000 includes commitments to conserve existing forests along all streams and shorelines; promote the expansion and connection of contiguous forests; assess the Bay's forest lands; and provide technical and financial assistance to local governments to plan for or revise plans, ordinances and subdivision regulations to provide for the conservation and sustainable use of the forest and agricultural lands. Recently, the Chesapeake Executive Council announced a new goal of protecting nearly 700,000 acres of additional acres of forest from conversion to other land uses.

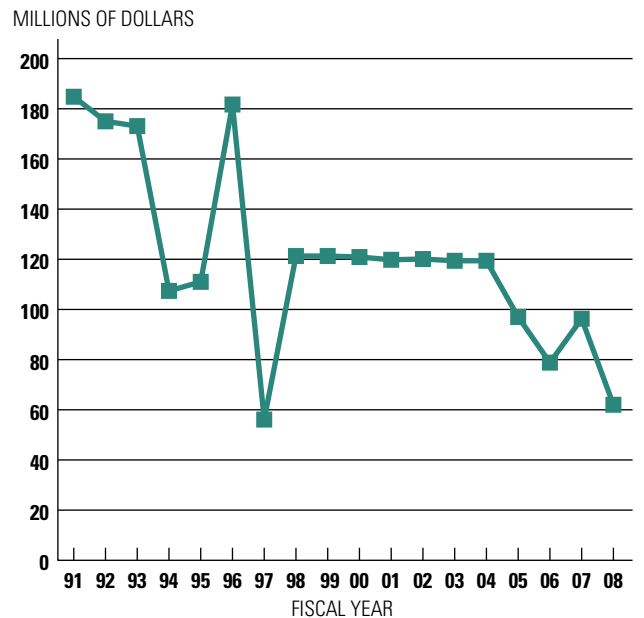
The two principal programs of the USDA Forest Service for Chesapeake watershed forest conservation, restoration and stewardship are the collaborative forestry programs of the Forest Service's Chesapeake Bay Watershed Forestry Program, which has been funded at approximately \$1 million a year and the Service's Forest Legacy Program which provides important, but limited grant support to state efforts to protect environmentally sensitive forest lands. We believe that there are other opportunities to enhance the role of the Forest Service in helping to preserve Chesapeake forests and urge the Delegation to survey the existing collaborative programs of the Forest Service and explore the potential of establishing new National Forests, research forests and an enhanced Chesapeake Watershed Forestry Program to support forest conservation and ultimately help restore the Bay.

Strengthen And Reauthorize The Clean Water Act

The principal Federal statute designed to protect our Nation's rivers, streams and coastal waters — the Clean Water Act (CWA) — was last reauthorized in 1987. It expired in Fiscal 1990 but Congress has continued to appropriate funds to carry out the Act. States and municipalities rely on funding made

Federal Funding For Wastewater Treatment FY 1991-2008

Combined CWSRF funding for Maryland, Pennsylvania, Virginia and District of Columbia.



SOURCE: EPA

available under the Act's Clean Water State Revolving Fund (CWSRF) to upgrade sewage treatment plants to meet water quality goals.

Unfortunately, Federal support for the CWSRF has declined from a high of about \$2 billion in 1991 to less than \$700 million in Fiscal 2008 and the President's fiscal 2009 budget proposes further cuts to \$555 million — the lowest level in the history of the program. In the Chesapeake Bay region — Maryland, Virginia, Pennsylvania and the District of Columbia — have experienced reductions in CWSRF dollars of nearly 70 percent from the levels provided in Fiscal 1991. To restore the Chesapeake Bay and its major tributaries, it is estimated that municipal wastewater treatment facilities will have to reduce nitrogen discharges by nearly 75 percent at a cost of about \$4.4 billion.

Increased Federal support is urgently needed to upgrade our wastewater infrastructure and to address nonpoint source pollution, storm-

water runoff, combined sewer overflows and other impairments to the Bay and its tributaries. A reauthorized CWA must do more to address these prominent causes of water degradation. We urge the Bay area Congressional Delegation to reauthorize the Clean Water Act to better address nonpoint sources and to increase the authorization for the CWSRF to \$3.2 billion.

Chesapeake Bay Appropriations Initiatives

Annual appropriations for the various Federal agency programs and initiatives in the Chesapeake Bay watershed represent a crucial part of the funding needed to meet Bay restoration goals. Without the support of the Bay area Congressional Delegation, many programs important to the Bay including wastewater treatment, education, oyster and habitat restoration, interpretation and recreation, science and monitoring, cooperative forestry, core agency funding, and agricultural technical assistance — to name a few — would have experienced drastic cuts or even been eliminated entirely.

We greatly appreciate the Delegation's support and recognize the difficult budget situation that Congress has faced. We implore you to continue your efforts to sustain and, where possible, to increase funding for these programs. Accordingly, we request that the Delegation:

- Support the recommendations of the Chesapeake Bay Foundation for the water quality and living resources programs for: EPA (including the small and targeted watersheds programs and the CWSRF), USDA agricultural conservation and technical assistance (plus sufficient support for all states in the watershed to meet core conservation assistance needs), and NOAA and the Army Corps of Engineers' oyster restoration.
- Support the upgrading of nutrient removal technology at Blue Plains Wastewater Treat-

ment Plant and retrofitting of the District of Columbia's Combined Sewer Overflows (CSO). The Water Resources Development Act of 2007 authorized \$30 million for enhanced nutrient removal at Blue Plains and \$35 million for implementation of the District's CSO control plan. Provide funding for these interconnected projects through the Water and Energy Bill and support District funding in the Financial Services and General Government Appropriations Act.

- Sustain or increase funding for education, public access and stewardship programs to enhance citizen stewardship of the Bay. These programs include: the National Park Service's Gateways and Watertrails Program, NOAA's B-WET and CBIBS programs, the Captain John Smith Chesapeake Bay National Historic Trail, and the U.S. Forest Service's Bay Program. A knowledgeable and motivated citizenry is critical to restoring and protecting the Chesapeake Bay and its natural resources. Education, public access and hands-on programs have proven to be successful in fostering stewardship of the Bay.
- Provide funding for two new initiatives: 1) a new local government circuit rider program to assist local governments in the implementation of sound watershed restoration measures, stormwater management and sustainable development practices; and 2) establishment of a Leadership Chesapeake Bay initiative.
- The Bay Program's Local Government Advisory Committee has recommended that the Chesapeake Executive Council establish a circuit rider program to provide technical assistance to local governments in the watershed. Modeled, in part, on the Nonpoint Education for Municipal Officials (NEMO) Program, the Bay Circuit Rider would provide natural resource-based planning and technical assistance to municipal and county governments to help them protect natural resources, reduce

sprawl, and ensure sustainable economic growth.

- The Leadership Chesapeake Bay initiative is an education/engagement program focused on adults in the public and private sectors who are in positions to make or influence decisions affecting the Chesapeake Bay's health. Its goals are to: generate a personal and organizational commitment to Chesapeake Bay restoration; identify best practices and create opportunities for integrating Bay stewardship into business activities; exchange ideas between the private sector, government and the non-profit community; develop environmental partnerships and new policy solutions; and recruit new people into the Bay restoration effort.
- Provide funding for the Army Corps of Engineers to undertake two studies vital to the Bay: a study of the sediment behind the dams on the Susquehanna River and a Chesapeake Bay Master Plan. Much of the progress that has been made in improving the water quality of the Bay could be reversed if the substantial volume of sediments that has been accumulating behind the dams on the Susquehanna River is suddenly released. An action plan for those sediments needs to be developed and implemented. Likewise, a comprehensive plan of action has not been developed for the Corps of Engineers to address the water resource problems of Chesapeake Bay in more than 20 years. Such a plan would be a useful tool to integrate existing and future work of the Corps of Engineers. The Corps is constrained in budgeting and undertaking restoration projects in the Bay without having detailed studies and plans. Also, these studies are a necessary step for the Corps to undertake and budget for restoration projects in the Bay.
- Provide funding for the U.S. Geological Survey to conduct a comprehensive investigation of the causes of the large fish kills that have occurred on the lower Potomac and

Shenandoah Rivers. Over the past several years, anglers and others have reported large numbers of dead and sick fish, including smallmouth and rock bass, on these rivers. States in the region are working with USGS in an effort to identify the potential causes of the kills and health problems, but greater efforts are needed.

Function 300 Natural Resources And Environment

Federal Budget Function 300 includes a wide variety of programs critical to preserving the nation's and the Chesapeake Bay's natural resources and environment. Among these programs are the CWSRF, which helps finance sewage treatment plant upgrades; the U.S. Department of Agriculture's Forest Service and many agricultural conservation programs; the Army Corps of Engineers' water resource programs; the conservation, land management and recreational programs of the National Park Service and the U.S. Fish and Wildlife Service; EPA's pollution control and abatement programs; and the programs of NOAA and U.S. Geological Survey.

The annual budget resolution sets the level of budget authority and outlays for these and other budget functions. It also establishes funding policies and assumptions for spending and revenue. Therefore, it is vital that Congress ensure the highest possible levels of funding for the Budget Function 300. According to the House Budget Committee, over the past eight years (FYs 2001–2008), total funding for Function 300 programs has fallen by 16 percent in constant dollars.

What Is the Commission?

The Chesapeake Bay Commission is a policy leader in the restoration of the Chesapeake Bay. As a tri-state legislative body representing Maryland, Pennsylvania and Virginia, its mission is to identify critical environmental needs, evaluate public concerns, and ensure state and Federal actions to sustain the living resources of the Chesapeake Bay. The Commission works directly with the state General Assemblies and the U.S. Congress and serves as the legislative branch of the Chesapeake Bay Program.

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**Metropolitan Washington Council of Governments
777 North Capitol Street, NE
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**RESOLUTION SUPPORTING LEGISLATION
IN THE MARYLAND GENERAL ASSEMBLY
RESTORING AND PROTECTING THE CHESAPEAKE BAY**

WHEREAS, the Metropolitan Washington Council of Governments (COG) is an association of elected officials in the National Capital Region consisting of Members of Congress, State Legislators, and local government officials representing twenty-one jurisdictions in the Region and their constituents; and

WHEREAS, the Chesapeake Bay, the largest estuary in the country and a significant environmental and economic resource for the Mid-Atlantic region and beyond, has suffered from environmental degradation and a continuing decline in water quality; and

WHEREAS, COG has been involved in restoring and protecting the Chesapeake Bay and its tributaries for more than twenty years, as demonstrated by the creation of the Chesapeake Bay Policy and Water Resources Committee, endorsement of and advocacy for the 1987 Chesapeake Bay Agreement and the Chesapeake 2000 Agreement, and support of the Chesapeake Bay Watershed Blue Ribbon Finance Panel; and

WHEREAS, although the COG region represents only five percent of the area of the Chesapeake Bay watershed it contains nearly thirty percent of its population, thereby magnifying both the degradation and remediation potential of Bay-related regional activities and efforts; and

WHEREAS, Maryland's recently created Chesapeake Bay 2010 Trust Fund does not provide for administration or distribution of the Fund, although in the current session of the Maryland General Assembly SB 213 calls for distribution of funds for clean-up projects primarily on a competitive basis (overseen by state cabinet-level officials with recommendations from a scientific panel), but without a funding allocation by category, unlike the state's other main vehicle for funding Bay-related projects; and

WHEREAS, the Chesapeake Bay and Water Resources Policy Committee has recommended that the Fund should: 1) support on-the-ground implementation projects to the maximum extent possible; (2) use a competitive process to allocate the Fund using clear criteria for project evaluation, emphasizing the cost-effective reduction of nutrients and sediment; and (3) ensure that projects addressing urban stormwater and stream restoration receive a reasonable share of overall monies.

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

1. COG endorses the concept of SB 213, calling for distribution of the Chesapeake Bay 2010 Trust Fund on a competitive basis, but that the Maryland General Assembly provide criteria to be used in distribution determinations, including on-the-ground implementation projects, cost-effective reduction of nutrients and sediment, and ensuring a reasonable share of overall funds be allocated to urban stormwater and stream restoration.
2. COG directs that this resolution be forwarded to its members in the Maryland General Assembly and to the appropriate Committees of jurisdiction.

**Metropolitan Washington Council of Governments
777 North Capitol Street, NE
Washington, DC 20002**

**RESOLUTION SUPPORTING LEGISLATION
IN THE VIRGINIA GENERAL ASSEMBLY
RESTORING AND PROTECTING THE CHESAPEAKE BAY**

WHEREAS, the Metropolitan Washington Council of Governments (COG) is an association of elected officials in the National Capital Region consisting of Members of Congress, State Legislators, and local government officials representing twenty-one jurisdictions in the Region and their constituents; and

WHEREAS, the Chesapeake Bay, the largest estuary in the country and a significant environmental and economic resource for the Mid-Atlantic region and beyond, has suffered from environmental degradation and a continuing decline in water quality; and

WHEREAS, COG has been involved in restoring and protecting the Chesapeake Bay and its tributaries for more than twenty years, as demonstrated by the creation of the Chesapeake Bay Policy and Water Resources Committee, endorsement of and advocacy for the 1987 Chesapeake Bay Agreement and the Chesapeake 2000 Agreement, and support of the Chesapeake Bay Watershed Blue Ribbon Finance Panel; and

WHEREAS, although the COG region represents only five percent of the area of the Chesapeake Bay watershed it contains nearly thirty percent of its population, thereby magnifying both the degradation and remediation potential of Bay-related regional activities and efforts; and

WHEREAS, Virginia's Water Quality Improvement Fund (WQIF) historically and currently has funded fifty percent of the upgrading wastewater treatment plants to meet Chesapeake Bay goals, and pending legislation in the Virginia General Assembly would create a new natural resource fund that would primarily be used to pay farmers to establish "best management practices" to minimize water quality pollution from their operations;

WHEREAS, the Chesapeake Bay and Water Resources Policy Committee has recommended general support for this effort, but has expressed concern over both the funding source and the possibility that funding of this agriculture-oriented program may endanger or limit necessary funding for the existing WQIF.

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

1. COG endorses the concept addressing agricultural pollution in the Virginia General Assembly as proposed in SB 511/HB 1335 and HB 727, but calls for maintenance of a dedicated revenue source to insure its adequate funding. COG also requests that any consideration of this effort not limit or reduce in any way the existing or necessary future funding levels of the existing Water Quality Improvement Fund.
2. COG directs that this resolution be forwarded to its members in the Virginia General Assembly and to the appropriate Committees of jurisdiction.