

**WATER RESOURCES TECHNICAL COMMITTEE**  
**Business Meeting – May 6, 2009**

**GENERAL UPDATES**

***FEDERAL/STATE REGULATIONS, MEETINGS AND ACTIVITIES***

**1. American Recovery and Reinvestment Act (ARRA) Regional Information Center**

COG staff has launched an American Recovery and Reinvestment Act (ARRA) Regional Information Center Webpage on COG's main Website. It provides general information on the ARRA, as well as specific information in five focus areas – Energy, Water, Housing and Community Development, Employment and Training and Transportation- designed to provide current information on regional projects receiving ARRA funding. The site will be updated regularly as we receive new information. COG's AARA Water section currently includes funding information, potential projects and state contacts from the District, Maryland and Virginia's respective ARRA websites

**Note: If any COG members have any approved project information that they can provide, that information would also be included. Please transmit project information to Tomlyne Malcolm.**

**To view the ARRA Information Center:** <http://wwwtest.mwcog.org/publications/recovery/default.asp>

**To view the Water section:** <http://wwwtest.mwcog.org/publications/recovery/water.asp>

**COG contacts:** Steve Bieber [sbieber@mwcog.org](mailto:sbieber@mwcog.org) (legislative) or Tomlyne Malcolm [tmalcolm@mwcog.org](mailto:tmalcolm@mwcog.org) (Website)

**2. Virginia Stormwater Regulations**

Virginia DCR is developing updated MS4 permits for eleven Phase I jurisdictions in Virginia. It also is still developing revisions to state stormwater management program provisions.

**COG contact:** Karl Berger [kberger@mwcog.org](mailto:kberger@mwcog.org)

**3. Maryland Stormwater Regulations**

MDE has begun the formal process for final adoption of the changes in its stormwater management regulations -- undertaken in response to the Stormwater Management Act of 2007. These regulations, which were originally proposed in the Maryland Register (35:25 Md. R. 2191-2198) on December 5, 2008, are expected to be adopted with an effective date of May 4, 2009.

**For more details:** <http://www.mde.state.md.us/Programs/WaterPrograms/SedimentandStormwater/swm2007.asp>.

**COG contact:** Karl Berger [kberger@mwcog.org](mailto:kberger@mwcog.org)

**4. EPA's Endangerment Finding and Federal Climate Legislation**

On April 17, 2009 EPA issued a proposed endangerment finding stating that "greenhouse gases contribute to air pollution that may endanger public health or welfare." This proposed finding is based on the 2007 order by the Supreme Court, of a thorough scientific review of six greenhouse gases – carbon dioxide, methane, nitrous oxide, hydro fluorocarbons, per fluorocarbons and sulfur hexafluoride- that pose a potential threat. This finding comes after the House Energy and Commerce Committee released a draft bill on March 31, 2009, which promises to "slash emissions to avoid the worst impacts of climate change."

The finding is now in its public comment period, which is the next step in the process towards EPA issuing final findings. COG staff will continue to monitor developments. The Metropolitan Washington Air Quality Committee may comment on the EPA proposal. We will share with you any comments submitted.

On March 31, 2009, the House Energy and Commerce Committee released a draft of the "American Clean Energy and Security Act of 2009." This bill addresses a very wide range of energy and climate change issues, the centerpiece of which is an economy-wide greenhouse gas emissions cap and trade program. Staff is tracking this legislation with the assistance of several national groups including the National Association of Regional Councils and Climate Communities. As the bill progresses it is possible that COG will take advocacy positions as recommended by the new Climate, Energy and Environment Policy Committee (see below). Staff will alert the WRTC as developments warrant.

**For more information on the EPA proposal:** <http://epa.gov/climatechange/endangerment.html>

**To view the draft bill:** [http://www.eenews.net/public/25/10364/features/documents/2009/03/31/document\\_gw\\_03.pdf](http://www.eenews.net/public/25/10364/features/documents/2009/03/31/document_gw_03.pdf)

**COG contacts:** Joan Rohlfs [jrohlfs@mwkog.org](mailto:jrohlfs@mwkog.org) or Jeff King [jking@mwkog.org](mailto:jking@mwkog.org)

**EPA contact:** Cathy Milbourn, 202-564-4355 [milbourn.cathy@epa.gov](mailto:milbourn.cathy@epa.gov)

## 5. Plastic Bag Fee Bill Status

District of Columbia:

- B18-0150, “The Anacostia River Clean-Up and Protection Act of 2009,” has not been voted on as yet.

Maryland:

- HB 1210, imposing a fee of \$0.05/bag on disposable bags, was not passed.
- HB 1306, requiring that restaurants and bars recycle aluminum, glass and plastic bottles, was not passed.

Virginia:

- HB2010, imposing a fee of \$0.05/bag on disposable bags, was not passed.
- HB1814/SB873, banning certain kinds of disposable bags, was not passed.
- SB971, requiring that certain stores provide only reusable bags, was not passed.

**Note:** The COG Board has passed resolution R19-09, requiring the CBPC to report back to the Board within 90 days on certain aspects of the disposable bag issue.

**COG contact:** Karl Berger [kberger@mwkog.org](mailto:kberger@mwkog.org)

## 6. Proposed Bottle Deposit and Bag Tax Bills

On April 22, 2009, two bills – a bottle deposit and bag tax- were introduced by Congressman Moran (D-Va.) and Congressman Markey (D-Mass) “aimed at cutting greenhouse gas emissions and curbing toxic pollution. The bills would respectively require a 5 cent deposit on water bottles and other beverage containers and charge a 5 cent fee on single-use bags (grocery sacks, dry-cleaning bags, take-out food bags, retail bags and service station bags).

**To view the article:** <http://www.nytimes.com/gwire/2009/04/23/23greenwire-new-bottle-deposit-and-bag-tax-bills-touted-fo-10641.html>

**COG contact:** Karl Berger [kberger@mwkog.org](mailto:kberger@mwkog.org)

# ***COG REGIONAL ACTIVITIES, MEETINGS AND EVENTS***

## 1. New COG Climate, Energy and Environment Committee

At its April 8, 2009 meeting, the COG Board adopted Resolution 18-09, establishing the “Climate, Energy and Environment Policy Committee,” as recommended by the ad hoc Climate Change Steering Committee. The new standing policy committee is expected to have its first meeting in June, 2009. It is expected that a Climate and Energy Technical Committee will be established (replacing the existing Energy Advisory Committee) on which representation from the WRTC will be sought.

The mission of the new policy committee is “to guide implementation of COG’s Climate Change Report, advise the Board on climate change, energy, green building, alternative fuels, solid waste and recycling policy issues, and other environmental issues the Board may so assign, and oversee annual work programs and budgets for these program areas.” The Board also requested that an annual meeting of the Chesapeake Bay and Water Resources Policy Committee, the Metropolitan Washington Air Quality Committee, and the Climate, Energy and Environment Policy Committee take place to insure coordination among COG’s regional environmental policy-making bodies.

Appointments from COG member jurisdictions as well as representatives from state environmental, energy and transportation secretaries/directors have been solicited and the COG Board is scheduled to adopt bylaws, appoint committee leadership, and initiate solicitation of stakeholder and other public agency participation at its May 13, 2009 meeting.

**To view the adopted Resolution 18-09:** <http://www.mwcog.org/uploads/committee-documents/bl5cWlle20090408140353.pdf>

**COG contact:** Stuart Freudberg [sfreudberg@mwcog.org](mailto:sfreudberg@mwcog.org)

## **2. Greater Washington 2050: Environmental Indicators**

COG's Greater Washington 2050 initiative includes a variety of indicators to reflect quality of life. For water resources, the focus will be on healthy local watersheds and the degree to which the region has met its nutrient and sediment reductions in support of the restoration of the Chesapeake Bay.

**GW 2050 Web link:** <http://www.greaterwashington2050.org/>

**COG contact:** Tanya Spano [tspano@mwcog.org](mailto:tspano@mwcog.org)

## **3. Anacostia Stormwater Workshop**

COG conducted a workshop on "Promoting Redevelopment LID in the Anacostia Watershed" on March 26, 2009. The results of the workshop and most of the presentations are posted on the Anacostia Web site.

**Anacostia Web link:** <http://www.anacostia.net/R-LID.html>

**COG contact:** Ted Graham [tgraham@mwcog.org](mailto:tgraham@mwcog.org)

## **4. COG's Green Roads and Highways Workshop**

COG staff is currently planning to host a Green Roads and Highways Workshop on November 5, 2009. The workshop will focus on the existing road network with an emphasis on stormwater retrofits and pollution prevention. Staff is presently soliciting comments and/or additional topic suggestions from local and state governments. WRTC members are being asked to serve on the planning committee, suggest topics, speakers, etc. to COG staff.

**COG contact:** Ted Graham [tgraham@mwcog.org](mailto:tgraham@mwcog.org)

# ***CHESAPEAKE BAY ACTIVITIES, MEETINGS AND EVENTS***

## **1. COG's Revised Policy Principles for the Restoration & Protection of the Chesapeake Bay & its Tributaries**

At its April meeting, the COG Board revised the four water resources policy principles guide COG's perspective on Chesapeake Bay and other regional water resources programs and policies. They call for "holistic requirements," an emphasis on equitable responsibility, a reliance on sound sciences and effective communication and a voice for local governments.

**To view adopted Resolution 20-09:**  
<http://www.mwcog.org/uploads/committee-documents/bF5cWllc20090408140449.pdf>

**COG contacts:** Ted Graham [tgraham@mwcog.org](mailto:tgraham@mwcog.org) and Karl Berger [kberger@mwcog.org](mailto:kberger@mwcog.org)

## **2. Chesapeake Bay Program Reorganization – Monitoring Program Rebalancing**

Based upon the findings of a Science and Technical Advisory Committee (STAC) review of existing monitoring program priorities and objectives, the Chesapeake Bay Program’s Management Board (MB) determined that:

- Delisting the tidal segments of the Bay and determining the effectiveness of management actions in the watershed should be the priorities of the CBP funded monitoring programs; and
- The current allocation of monitoring resources does not reflect these priorities and there should be some rebalancing.

In response, the CBP Monitoring Rebalancing Action Team (MRAT) held numerous one-on-one discussions with interested parties and a several hour open conference call with over 50 state, Federal, and academic members of the non-tidal and tidal monitoring communities to come up with a process for gathering additional information from the larger monitoring community that will be used to develop a plan for rebalancing CBP monitoring resources. The Management Board charged the MRAT with developing a plan for rebalancing CBP monitoring funds by October 2009.

**To view details of the process to develop the rebalanced plan:** <http://www.mwcog.org/uploads/committee-documents>.

**COG Contact:** Steve Bieber [sbieber@mwcog.org](mailto:sbieber@mwcog.org)

## **3. Senate Environment & Public Works Committee/Subcommittee on Water and Wildlife – Field Hearing: “Chesapeake Bay Restoration: Status Report and Recommendations.”**

Four people spoke at this April 20, 2009 congressional hearing in Annapolis, Md., including Congressman Gerald Connolly (D-Va 11<sup>th</sup>). Connolly’s testimony focused largely on the issue of urban stormwater and provided several general recommendations for regulatory action. The CBPC is expected to review this testimony at its May 15 meeting.

**To view Connolly’s testimony:**<https://www.mwcog.org/uploads/committee-documents/k15cWF1f20090430111636.pdf>

**Full text of all the testimony is available at the committee web site:**  
[http://epw.senate.gov/public/index.cfm?FuseAction=Hearings.Hearing&Hearing\\_ID=a4efbb7e-802a-23ad-4e3e-12a027a75471](http://epw.senate.gov/public/index.cfm?FuseAction=Hearings.Hearing&Hearing_ID=a4efbb7e-802a-23ad-4e3e-12a027a75471)

**COG contact:** Karl Berger [kberger@mwcog.org](mailto:kberger@mwcog.org)

## **4. Chesapeake Bay Foundation 2008 State of the Bay report & PBS documentary ‘Poisoned Waters’**

Public and press attention to Chesapeake Bay restoration efforts was sparked by two recent developments: the release of the Chesapeake Bay Foundation’s annual “State of the Bay” report for 2008 and the April 21 airing of a Public Broadcasting System documentary on water quality, “Poisoned Waters,” that focused on the Chesapeake Bay and the Puget Sound. The CBPC will consider producing a Close to Home piece in response to these developments at its May 15 meeting.

**For more details on the CBF report:**  
<http://www.cbf.org/site/DocServer/2008SOTBReport.pdf?docID=14763>

**For more details on the PBS documentary:** <http://www.pbs.org/wgbh/pages/frontline/poisonedwaters/>

**COG contact:** Karl Berger [kberger@mwcog.org](mailto:kberger@mwcog.org)