

# OUR WATERS, OUR TOWNS



## LOCAL GOVERNMENTS' ROLE IN THE WATERSHED IMPLEMENTATION PLANS



## A NOTE FROM THE CHESAPEAKE EXECUTIVE COUNCIL'S LOCAL GOVERNMENT ADVISORY COMMITTEE



July 2011—Way back when the Chesapeake Bay restoration effort began more than two decades ago, local government involvement was viewed as nice, but maybe not essential. How times change. Now it's clear that when it comes to improving the health of our local rivers and streams, and ultimately the Chesapeake Bay, we—the elected leaders of town and county governments and the appointed leaders of local soil conservation, storm water, and planning districts throughout the Chesapeake watershed—are the ones who will make it happen. We will be the ones who engage our councils, direct our staffs, and make the detailed decisions about how to improve storm water systems, sewage treatment plants, growth patterns, and best management practices to reduce pollution.

We will also be the ones who set our communities on the path to reap the benefits of a healthier environment and leave a healthy legacy for future generations.

During the next several months, you and I as local leaders will be asked to engage in a process to develop what is called Phase II of our state's Watershed Implementation Plan (WIP). This is a crucial opportunity; it is the moment we have to shape the commitments made and actions planned to achieve the clean water goals set in the newly developed Chesapeake Bay Total Maximum Daily Load (called the TMDL for short) developed by the U.S. Environmental Protection Agency.

I am the chair of the Local Government Advisory Committee (LGAC). The committee is made up of local government representatives from Pennsylvania, Maryland, Virginia, and the District of Columbia—the jurisdictions that are signatories to the Chesapeake Bay Agreement. There are 21 of us on the committee, and our job is to advise the Executive Council of the Chesapeake Bay Program, the body that makes broad policy decisions and sets goals that affect us all. The Executive Council is made up of the governors of the three signatory states, the mayor of D.C., the representative of the Chesapeake Bay Commission (which represents the states' legislators on the council), and the administrator of the EPA.

LGAC's focus for this next year will be on the local pollution limits and the Phase II WIP process. Our role will be to provide the Executive Council a clear understanding of the concerns of local governments and to provide local governments information about limiting pollution.

The Chesapeake Bay restoration program will require effort from all of us in the Watershed. It will also bring benefits to all of us. The plans we make to direct growth will protect our farms and forests; the efforts we make to reduce stormwater and agricultural runoff and to improve sewage treatment plants and septic tanks will improve the health of our streams. The results will be healthy and attractive streams that add value to our communities for our residents, businesses and tourists; clean drinking water; effective flood control; more trees in our towns and cities; and more efficient water treatment. Our actions will increase the vitality and security of our communities and our region, for this and future generations.

In this report, you will find background on the Local Government Advisory Committee, the TMDL and the current Phase II WIP process, and resources for more information. We hope this information is helpful, and we ask that you let your state's members on our committee know of your concerns. Check the Alliance website for their names and contact information.

Sincerely,

A handwritten signature in blue ink that reads "Mary Ann Lisanti". The signature is written in a cursive, flowing style.

Mary Ann Lisanti  
County Councilwoman, Harford County, Maryland  
Chair, Local Government Advisory Committee to the Chesapeake Executive Council



## WHAT IS THE LOCAL GOVERNMENT ADVISORY COMMITTEE?



Source: ChooseCleanWater.org

The Chesapeake watershed covers 64,000 square miles and includes parts of six states: Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia, and the District of Columbia. There are almost 1,800 units of local governments located here and they represent the 17 million people who live in the watershed. The Local Government Advisory Committee (LGAC) represents those local governments before the Executive Council—the highest council of the combined state and federal Chesapeake Bay Program. LGAC has 21 members,

**LOCAL GOVERNMENTS ARE: CITIES, COUNTIES, MUNICIPALITIES, TOWNS, TOWNSHIPS, AND BOROUGHS**

90 percent of them elected officials, with six each appointed by the governors from Maryland, Virginia, and Pennsylvania, plus three appointed by the mayor of Washington, D.C.

LGAC meets four times a year to hear expert advice and discuss issues that affect the Bay's health. We participate in Bay Program management meetings to remind the Federal EPA Bay Program and the individual states that local governments must implement the actions they take. We advise the Executive Committee how to develop policies and programs that have the best chance to succeed at the local level.



## WHAT IS A WATERSHED IMPLEMENTATION PLAN?



Last year, the U.S. Environmental Protection Agency, working with the six states in the Chesapeake Bay Watershed, put in place the Chesapeake Bay Total Maximum Daily Load, or TMDL, which is a regimen to substantially reduce the nitrogen, phosphorus, and dirt (or sediment as the TMDL calls it) that enters our streams and rivers and flows to the Bay. Those three pollutants most degrade the health of the Chesapeake, the nation's largest estuary and one of the region's strongest economic drivers. Limiting the pollutants to no more than the watershed's ecosystem can

assimilate—its total maximum daily load—will result in long-sought water quality improvements, not just in the Bay, but in our local rivers and streams.

**FOR THE FIRST TIME...LOCAL GOVERNMENTS HAVE THE OPPORTUNITY TO ENSURE THAT RESTORATION EFFORTS MEET LOCAL NEEDS.**

The TMDL was based on Phase I Watershed Implementation Plans that the six watershed states and the District of Columbia developed to reduce nitrogen, phosphorus, and sediment to target levels established by the EPA. Those plans were approved last winter. Now Phase II—given the shorthand name of WIP II—has begun.

For the first time in the history of regional cooperation and federal oversight to restore the Chesapeake Bay, local governments, accountable to local constituents, have the opportunity to ensure that restoration efforts meet local needs. Also for the first time, local and state plans will include the impacts on local waters of federal lands, and the federal government will be held accountable for ensuring that those lands help protect local waters. In some parts of the region, this represents a significant asset to local governments' ability to protect local waters.

In WIP II, the states and D.C. must develop plans that detail the actions they will take at the sub-watershed and local government level. An observer of this process might borrow and change the sage advice of former Speaker of the House of Representatives Tip O'Neill who said "All politics is local" to "All pollution control is local." It is crucial that local elected and appointed leaders—the men and women who have direct control of planning, zoning, stormwater districts, sewage treatment plants, and soil conservation districts—are engaged in the WIP II process, for they are the ones who will play a crucial role in achieving the goals.



# IMPLEMENTATION MEASURES



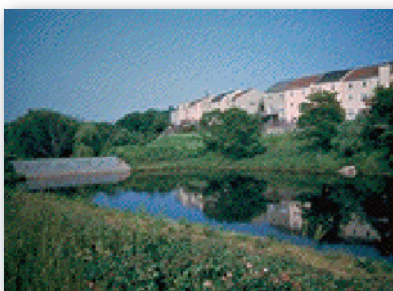
Local officials, committed to healthy, vibrant communities, have made great progress in waste water treatment, land use planning, and zoning. WIP II challenges them to puzzle out which additional measures best reduce pollution, meet community needs, and match resources. Examples of actions and benefits include:

## ACTION

## BENEFIT

**Upgrade wastewater treatment plants** to remove more nitrogen and phosphorus from the discharge and eliminate sewer overflows.

Healthier streams with cleaner, fishable and swimmable waters for our families. Helps protect public and private drinking water sources.



**Reduce urban storm water** through green roofs, rain barrels and rain gardens, urban tree planting, and urban stream restoration. Require development to include large, effective waterside buffers and state-of-the art stormwater controls.

Green roofs save energy. Increasing tree canopy cools and cleans the air. Restoring urban streams and requiring effective waterside buffers in new development can reduce flooding and increase green spaces for wildlife habitat and recreation for our children.



**Require nitrogen-removal septic systems** in sensitive areas; require other systems to be regularly pumped; where possible connect areas served by septic tanks to advanced sewage treatment plants.

Nitrogen reducing systems are more efficient and produce cleaner waste water, which may extend the lives of the systems. Less nitrogen in the groundwater benefits nearby streams.

**Plan and zone to protect farms and forests** from sprawl; direct development to areas served by sewer systems.

Farms and forests form a base of working lands that strengthen local economies. Forests provide aquifer recharge and carbon sequestration and reduced sprawl leads to more efficient transportation, education and public safety systems.

**Plant natural filters**, such as streamside forest buffers and restore wetlands.

Forest buffers and wetlands create wildlife habitat and control flooding as they capture pollutants. Some can be designed to connect to recreation areas or urban green spaces.



**Address agricultural pollution** through cooperation with soil conservation districts. Actions can range from cover crops, to water controls structures, to fencing to keep animals out of waterways. Controls will be needed particularly on animal manure, and these can range from structures to careful, planned use.

Agricultural best management practices are designed to benefit water quality while maintaining or even enhancing agricultural production. They can also create wildlife habitat and create recreational opportunities when buffers are planted and wetlands and streams restored.

## WHAT ARE THE BENEFITS FOR LEADING YOUR COMMUNITY THROUGH THIS AND COMING UP WITH A PLAN?



When you help develop the Watershed Implementation Plan, you will have a say in:

- The local targets for pollution reduction and how to best achieve them;
- The resources, authorities and technical assistance needed for the work;
- The strategies that are best for local partners and that achieve the best results.

The Watershed Implementation Plans are really about water quality in your own backyard. Pollution impairs many local streams and rivers that flow into the Chesapeake Bay. For the sake of our families and future generations, we need to get them healthy. Other streams are in good shape, and we need to make sure they stay that way. If we improve stream health throughout the watershed, then the Chesapeake Bay will grow stronger. Less nitrogen, phosphorus, and dirt entering our streams and rivers will result in: *cleaner waters and healthier ecosystems; better fishing, swimming and boating; improved public health; greater economic opportunities; increased aesthetics; and enhanced real estate values for homes, farms, and businesses.*

There will be costs to implement the watershed plans. Fees and taxes may increase. Local ordinances and the ways in which governments at the local, county, and state level work together may be adjusted. You can have a say in the plan if you are at the table.

By 2025, all the actions planned now will be in place; most of them are expected to be in place in the next five years. Our streams and rivers will grow healthier as a result. While the process will be difficult, the legacy left our communities will be great.

### RESOURCES

During the next several months, as the WIP planning is underway, LGAC will continue to provide updates and information to local governments. We would also like to hear from you so we can represent your views before the Executive Council and in the management meetings we attend. Please share with us your success stories and photos of your work. You can email them to Rick Keister, LGAC coordinator, at [rkeister@allianceforthebay.org](mailto:rkeister@allianceforthebay.org) or call us at 443-949-0575. Below are websites with more information.

#### TMDL BACKGROUND AND GUIDELINES

- <http://www.epa.gov/chesapeakebaytmdl>
- <http://www.chesapeakebay.net/watershedimplementationplans.aspx?menuitem=52043>
- [http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/decisions\\_index.cfm](http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/decisions_index.cfm)

## HOW WILL YOU BE INVOLVED?

Each watershed state and D.C. has developed its own process to write its WIP II plan and involve local governments. Their common denominator is that local officials need to be involved and will be called upon to enlist the strong support of their staffs. The states and D.C. plan to engage county and municipal governments, soil conservation districts, and relevant federal and state agencies. They all must submit the Draft WIPs by December 1, 2011. The following are the state contacts for information about the WIPs:

DELAWARE	Jennifer Walls, DNREC Jennifer Volk, DNREC	Jennifer.Walls@state.de.us jennifer.volk@state.de.us	(302) 739-9062 (302) 739-9939
WASHINGTON, D.C.	Diane Davis, DOE Sarah Sand, DOE	diane.davis2@dc.gov sarah.sand@dc.gov	(202) 741-0847 (202) 535-2691
MARYLAND	Rich Eskin, MDE Jeff Horan, DNR Cathie Shanks, DNR	reskin@mde.state.md.us jhoran@dnr.state.md.us CShanks@dnr.state.md.us	(410) 537-3691 (410) 260-8705 (410) 260-8717
NEW YORK	Jackie Lendrum, DEC	jmlendru@gw.dec.state.ny.us	(518) 402-8118
PENNSYLVANIA	Pat Buckley, DEP Andy Zemba, DEP	pbuckley@state.pa.us azemba@state.pa.us	(717) 772-1675 (717) 772-4785
VIRGINIA	Joan Salvati, DCR	Joan.Salvati@dcr.virginia.gov	(804) 225-3440
WEST VIRGINIA	Teresa Koon, DEP Dave Montali, DEP	Teresa.M.Koon@wv.gov david.a.montali@wv.gov	(304) 926-0499 x. 1020 (304) 926-0499 x. 1063

### TRACKING

- <http://stat.chesapeakebay.net>

### LOCAL GOVERNMENT ADVISORY COMMITTEE

- [https://allianceforthebay.org/?page\\_id=792](https://allianceforthebay.org/?page_id=792)

### MEMBERS, MEETINGS AND MORE INFORMATION

- [http://www.chesapeakebay.net/committee\\_lgac\\_info.aspx?menuitem=46327](http://www.chesapeakebay.net/committee_lgac_info.aspx?menuitem=46327)  
Contact Rick Keister, LGAC Coordinator, at 443-949-0575 or rkeister@allianceforthebay.org

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