

ENVIRONMENT AND ENERGY CONSERVATION COMMISSION

c/o Department of Environmental Services

2100 Clarendon Blvd., Suite 705

Arlington, VA 22201

June 22, 2015

The Honorable Mary Hynes, Chairman
Arlington County Board
2100 Clarendon Blvd., Suite 300
Arlington, VA 22201

Re: Comments on Chesapeake Bay TMDL Action Plan

Dear Chair Hynes,

The Environment and Energy Conservation Commission (E2C2) received a presentation on the draft Chesapeake Bay Total Maximum Daily Load (TMDL) Action Plan (dated April 30, 2015) at our meeting on May 18, 2015. We appreciate the opportunity to review the draft and offer the following comments and recommendations.

1. Comments:

- a. E2C2 applauds the County for taking a leadership role within the Commonwealth on this issue, and for being one of the first localities to develop a plan to comply with the Chesapeake Bay TMDLs and the new Municipal Separate Storm Sewer System (MS4) permit. The County's early commitment and investment of time and resources has allowed the County to develop effective strategies to achieve nutrient reductions, as detailed in the plan.
- b. We are encouraged by the progress the County has already made reducing nutrients in Arlington County stormwater. Despite its use of highly conservative assumptions to compute baseline pollution loads, pollution reduction credits, and other measures, the County has already reached the 2018 MS4 permit requirement (5% of ultimate nutrient reduction goal). This is the result of a proactive attitude by County staff.
- c. Due to the increasing reduction requirements in the subsequent permit cycles, attainment of permit limits will be increasingly difficult. Though the County is currently ahead of the curve, increasing attention and resources will be required in the coming years. The plan estimates a total program cost of \$50 to \$150 million, but does not identify funding to meet these needs.
- d. Even with a fully funded program, it is likely that, by the third permit cycle, the stormwater program may not be able to meet the MS4 permit requirements, and

will require nutrient trading with credits achieved through upgrades to the Arlington County Water Pollution Control Plant.

- e. The draft plan is constrained by the Virginia Department of Environmental Quality (DEQ) guidance document to calculation procedures which only credit certain prescribed management practices with reducing nutrients in stormwater run-off. The plan does not discuss the impact (or set any goals) for enhancements to overall County tree-cover or programs that reduce the use of residential fertilizers. County staff is encouraged to explore opportunities to have these and other urban stormwater best management practices accepted by DEQ, such that the stormwater program could encourage and take credit for these.

2. Recommendations:

- a. E2C2 recommends the Board adopt the plan as currently drafted.
- b. Further, E2C2 recommends that the Board identify funding to provide the staff and other program needs to successfully implement the plan. In particular, because regular rate increases may be needed in the Stormwater Fund, we recommend that staff provide early guidance on funding needs to both the County Board and the community.
- c. Finally, E2C2 encourages County staff to explore a wider range of urban stormwater best management practices, including increased tree cover and reduction in fertilizer use, to meet stormwater quality goals, and that staff work with VA DEQ to have those practices recognized as MS4 compliance strategies.

E2C2 appreciates your consideration of these comments, and is happy to meet with you or County staff to discuss them further if you have any questions or concerns. We recognize the importance of a comprehensive stormwater management plan that will ensure compliance with regulatory and Chesapeake Bay requirements, and improve water quality in local receiving waters and the Chesapeake Bay.

Sincerely,



Scott Dicke

Chair, E2C2