

Committee on Resources

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**STATEMENT OF THE HONORABLE PENELOPE A. GROSS
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METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS**

BEFORE THE
HOUSE RESOURCES COMMITTEE
SUBCOMMITTEE ON FISHERIES, CONSERVATION, WILDLIFE, AND OCEANS
December 13, 2004

Mr. Chairman, thank you for the opportunity to appear here today to discuss Chesapeake Bay restoration activities and the vitally important role of local governments in those efforts. I'm Penny Gross, a member of the Fairfax County, Virginia, Board of Supervisors and I am honored to be invited to provide testimony. Chesapeake Bay issues are of particular interest to me, which is why I serve on the Chesapeake Bay Policy Committee of the Metropolitan Washington Council of Governments, was a member of the Chesapeake Bay Program's Blue Ribbon Financing Panel and recently was appointed a member of the Bay Program's Local Government Advisory Committee. I also chair Virginia's Potomac Watershed Roundtable. Each of these responsibilities has helped shape my perspective on what is needed to keep our efforts to achieve a clean Bay on track. I would like to share several themes that are the basis of my remarks today:

- Implementation and restoration happen at the local level and we need more state and federal funding to get the job done;
- EPA and their state counterparts need to provide stronger leadership on regulatory issues that will drive much of the multi-billion dollar Bay cleanup effort;
- The Chesapeake Bay Program partners need to set clear implementation priorities, emphasizing those measures that offer the greatest pollution reduction return on investment;
- The implementation and funding burden must be shared equitably between and among sectors and levels of government.

Now I would like to share with you some experiences of the Washington region, where my district is located, that offer key insights on how to achieve our Bay nutrient reduction goals.

With a population of about 4.6 million people, the Washington region is home to more than 1 in 4 people living in the Bay watershed. At current growth rates, in less than two decades, about 1 in 3 Bay watershed residents will call our region home.

While the 1987 Chesapeake Bay Agreement is often viewed as the first major pollution reduction milestone in the watershed, major pollution reduction efforts in the Washington region began in 1959 with the implementation of secondary treatment at Blue Plains, the world's largest advanced wastewater treatment plant, which treats flows from my county of Fairfax, Virginia, the District of Columbia, and Montgomery County and Prince George's County in Maryland. Other facilities in Northern Virginia and the Maryland suburbs completed similar upgrades from 1960 to 1980. Further efforts have reduced phosphorus loadings from the major wastewater treatment facilities in our region approximately 96% since 1970. This has significantly reduced nuisance algal blooms, increased dissolved oxygen levels, and alleviated other eutrophication problems in the Potomac estuary and the Chesapeake Bay. Since the 1990s, nitrogen loads from the major wastewater treatment facilities in our region have been reduced by about 44%, further improving water quality. Despite what you may have read in the papers, we have made tremendous progress. As a matter of fact, the Washington region was the only area in the Chesapeake Bay watershed to achieve the original 40% nutrient reduction goal. Let me repeat that: As a result of these efforts, the Washington region was the only area in the Chesapeake Bay watershed to achieve the original 40% nutrient

reduction goal.

Our success in achieving consistent, long-term reductions in water pollution, despite continued increases in population, households, and employment reflects:

- The implementation of proven, cost-effective water pollution control technologies;
- A local commitment to invest hundreds of millions of dollars in clean water infrastructure; and
- A shared state and federal commitment to match those local investments with cost share funding and grants.

We are proud of the progress local governments in our region have made in protecting local water quality and the Bay. However, we find ourselves working longer and harder to achieve reductions in pollution that once seemed relatively easy. Like other regions, we are facing the “Woodsman’s dilemma:”

There was a woodsman who had a new ax. The first day he was able to chop down twenty trees. With each passing day, he worked longer and harder, while chopping down fewer trees. A friend wandered by and suggested, “Why don’t you sharpen your ax?” The woodsman replied, “I’m too busy. I’ve got to chop down more trees!”

Continued progress, however, requires us to stop, “sharpen our axes”, and focus our efforts to achieve the greatest pollution reduction at a reasonable cost to the taxpayer.

From a local government perspective, we know what to do to continue making progress, but we need help from our state and federal partners. The biggest help we could use is additional federal and state funding. Local governments are facing billions of dollars in costs to meet rising water and wastewater infrastructure needs. For example, the estimated capital costs associated with Virginia’s “Tributary Strategies” are approximately \$8 billion. Nearly all of those costs (more than 85%) are for expenditures at the local level. In Fairfax County alone, those costs amount to an estimated \$25 - \$50 million per year in additional stormwater management costs and about \$175 million for wastewater treatment plant upgrades. At the same time, average water and wastewater rates in Virginia have increased more than 30% over the past ten years and more increases are on the horizon. Cleaning up the Bay is a shared responsibility between local, state, and federal partners, but present state strategies in Virginia and elsewhere place the lion’s share of financial responsibility with local governments. We hope that you will very seriously consider recommendations by the Chesapeake Bay Blue Ribbon Finance Panel for the federal and state governments in the watershed to assume a major role in providing financial assistance for implementation at the local level.

But funding alone isn’t enough. We also need our state and federal partners to work cooperatively with local governments on a watershed basis to:

1. Provide leadership, especially with regard to regulatory issues. The implementation of innovative and cost effective nutrient reduction practices at the local level require the full backing and support of EPA and state regulatory agencies. This applies to both wastewater and stormwater controls. Therefore, it is critical that EPA and the states provide local governments with clear guidance on issues such as the level of wastewater treatment required to meet new water quality standards, nutrient trading to achieve greater nutrient reductions at a lower cost, and the use of innovative permitting options that promote cutting edge technologies to achieve the lowest possible discharge levels.
2. Focus efforts on the most effective nutrient reduction practices. The “do everything, everywhere” approach, as called for in the state Tributary Strategies, won’t work and dilutes our efforts. A recent Chesapeake Bay Commission report identified a handful of cost-effective practices that together could achieve 75% of our Bay nutrient reduction goals at a fraction of the cost identified in state Tributary Strategies. Given the limited resources available, focusing our efforts is essential.
3. Establish priorities – Make projects and practices that deliver the greatest nutrient reduction benefit a priority for funding. For Fairfax County, Virginia, the Metropolitan Washington region and elsewhere, this means additional state and federal cost-share funding for wastewater treatment plant upgrades. Going to the next level of advanced treatment is the most effective and immediate way to reduce the amount of nutrients entering our waterways. For example, implementing the next level of advanced treatment at all major wastewater plants would

achieve more than 70% of the Bay nutrient reduction goal for the Metropolitan Washington region. Reasonable and realistic implementation schedules are also critical to establishing meaningful priorities. The Bay Agreement's 2010 deadline is only about 5 years away. Even under the best possible conditions with 100% funding, more time will be required to implement all of the extensive projects that need to be done.

Mr. Chairman, as leaders in the Chesapeake Bay restoration effort, local governments in the Washington region are committed to building on our successful efforts to further protect and restore local water quality and the Bay. To be successful, however, we need our state and federal partners to join with us in meeting the challenge of a clean Bay by providing much needed cost share dollars for clean water infrastructure, especially for wastewater treatment plant upgrades. We also need our state and federal partners to provide clear leadership on regulatory issues, focus implementation on the most cost effective practices, and make projects that deliver the greatest nutrient reduction benefit to the Bay a top priority for funding. I thank you and the other Members of the Subcommittee again for giving me the opportunity to appear here today, and would be pleased to respond to any questions.