

Outline of Programmatic and Policy Section of the ARP

I. Rationale for Including Program and Policy Recommendations

- A. Partnership members have authorities and resources that can supplement and complement the Corps' authorities and resources
- B. Programs and policies can provide an institutional framework from which restoration projects can be implemented (e.g. a Green Streets Program provides the institution through which green streets get implemented.)
- C. Programs and policies can not only help restore the watershed but prevent further harm.

II. Background on Particularly Relevant Federal Law and Importance of to the Restoration

- A. Clean Water Act--Description of designated uses, water quality standards, impairments, TMDLs, MS4s
 - 1. USEPA/DC WASA CSO Consent Decree
 - 2. USEPA/MDE/WSSC SSO Consent Decree
- B. CERCLA and RCRA Compliance Orders in effect and in process in tidal river
- C. Energy Independence and Security Act (EISA)
- D. (Hopefully) 2009 transportation bill relating to stormwater retrofit of federal aid highways

III. Background on Existing, Particularly Relevant State and District Law and Application to the Restoration

- A. State of Maryland Stormwater Management Act of 2009
- B. District of Columbia Water Pollution Reduction Act of 2008 (stormwater fees and prohibition on coal tar sealants)

IV. Existing Policies Programs Applicable within the District of Columbia, Montgomery County, Prince George’s County (Presented in tables with benefits and challenges of implementing noted)

- A. Private Property LID Retrofit Incentives (Riversmart Homes, Rainscapes Rewards)
- B. Stormwater Regulations for Development and Redevelopment
- C. Recently Proposed MS4 Permits
- D. Stormwater Fees and Taxes
- E. Policies and Programs for Retrofitting Roads and Streets
- F. Disposable Shopping Bag Fees
- G. Antilitter and Dumping Ordinances
- H. Ban on Coal Tar Parking Lot Sealants
- I. Industrial Site Housekeeping Laws and Initiatives
- J. Tree Protection and Planting Programs and Ordinances
- K. Stream Buffer Requirements

V. Examples of Innovative Programs from Other Jurisdictions from Other Parts of the Country (Presented in tables with type, jurisdiction, description, benefits and challenges such as cost and difficult to obtain public acceptability, for more information)

- A. Innovative Regulatory Approach (Seattle Green Factor)
- B. Developer Incentives for Early Adoption of Stormwater Improvements (Chicago Expedited Permits, Arlington (VA) Density Bonuses, New York City Tax Credits for Green Roofs, Anne Arundel County (MD) Tax Credits for Stormwater Management Practices)
- C. Homeowner Incentives for Stormwater Improvements (Portland (OR) Downspout Disconnection Program, Rain barrel Incentive Programs from Various Jurisdictions, Rock Island (IL) Rain Garden Reimbursement Program)
- D. Stormwater Utility Fee with Incentives (Rockville MD)
- E. Programs and Policies for Implementing Road Retrofits (Seattle, Portland)

- F. Beverage Deposit Legislation
- G. Animal Waste Pickup Ordinances (New Jersey State Law)
- H. Stream Buffer Requirements
- I. Tree Protection and Planting Programs and Ordinances

**VI. Conclusions and Recommendations (not stated as requirements but as aims
--goals of the Partners)**

- A. Importance of Implementing DC WASA and WSSC Consent Orders
- B. Importance of Stormwater Regulations that Achieve the Most Volume Control Practicable for Development and Redevelopment through LID
- C. Need for Developer/Redeveloper Incentives for Early Adoption of LID Stormwater Practices (area that other jurisdictions seem to have a leg up)
- D. Importance of Key Features of Montgomery County MS4 program Being Implemented throughout Watershed
- E. Importance of Adopting Adequate Stormwater Utility Fees to Fund District and County Programs (we have, but not adequate to fund)
- F. Importance of Programs which Systematically Retrofit Roads and Streets (some progress but programs not as extensive as Portland and Seattle)
- G. Plastic Bag Fee a Goal for Entire Watershed
- H. Ban on Coal Tar Sealants a Goal for Entire Watershed
- I. Strong Animal Pickup Laws a Goal for Entire Watershed
- J. Strong Industrial and other Hot Spot Housekeeping Regulations for Entire Watershed

Tree Protection, Stream Buffers?