



STAFF REPORT AND FISCAL IMPACT NOTE

Resolution: R-47-18

Title: No Discharge Zone - To support the establishment of a No Discharge Zone for the City of Annapolis and its waterways and submission of an application to the Maryland Department of the Environment and the U.S. Environmental Protection Agency

Date: September 20, 2018

STAFF REPORT

This resolution supports the Back Creek Conservancy's application to the State of Maryland to designate the Magothy River, Severn River, South River, Rhode River, West River, Stoney Creek, Bodkin Creek, Rock Creek, Podickery Creek, Sandy Point/Mezick Ponds, Whitehall Bay, Oyster Cove, and Fishing Creek as "No Discharge Zones." The designation and enforcement of a No Discharge Zone (NDZ) in Annapolis waterways will help the City meet nutrient reductions required by U.S. EPA's Chesapeake Bay Total Maximum Daily Load.

The State of Maryland has taken steps to protect sensitive waterways by working with the U.S. Environmental Protection Agency (EPA) to designate NDZs pursuant to Section 312 of the federal Clean Water Act. Herring Bay and the Northern Coastal Bays were chosen as Maryland's first NDZs due to the high concentration of boats, resources sensitive to boat sewage, water contact activities, and local support for added protection. The City's waterways share these characteristics, and the economy of Annapolis is tied directly to the ecological resources and quality of the waters within and surrounding Annapolis city limits.

An NDZ is an area of water where the discharge of all boat sewage is prohibited. This includes raw sewage, which is prohibited anywhere within the three-mile limit, as well as sewage treated by an approved marine sanitation device. An NDZ does not restrict the discharge of gray water. Proper handling of boat sewage is an important part of restoring Maryland waterways. Adequate facilities are required to help boaters act responsibly. Maryland has one of the country's most successful pump out programs. Over 300 marinas are equipped with one or more units designed to handle waste from holding tanks and portable toilets.

Prepared by: Teresa Sutherland, with input from Jacqueline Guild, Director of Office of Environmental Policy

FISCAL IMPACT

This resolution has no fiscal impact because there are no mandatory expenditures. However, the Office of Environmental Policy (OEP) recommends NDZ signage at the City harbor and on the Severn River, South River, Spa Creek, Back Creek, College Creek, and Weems Creek. OEP also recommends that the Harbor Master distribute educational materials to area marinas and to vessels visiting the City harbor.

The fiscal year 2019 budget adopted by the City Council includes \$20,000 in the Watershed Restoration Fund for NDZ outreach and education in the Office of Environmental Policy. However, NDZ signage and educational materials are not a permitted use of the monies in the Watershed Restoration Fund. The restricted purposes of the Watershed Restoration Fund, which were reaffirmed by the City Council on June 25, 2018, via R-22-18, are land acquisition (including easements and rights-of-way), and the study, engineering, design, purchase, construction, expansion, repair, maintenance, landscaping and inspection of public stormwater management systems.

OEP's operations budget in the General Fund is only \$37,050, so the office will not be able to absorb the costs of signage and educational materials in its General Fund appropriations. However, these expenditures are not mandatory if the State designates our City waterways as NDZs.

Prepared by: Jodee Dickinson, Finance Director