

To: Annapolis Environmental Matters Committee
Annapolis City Council
Mayor Mike Pantelides

A Resolution by the Annapolis Environmental Commission (AEC)
Concerning Measures to Improve Marine Water Quality in Annapolis Waters

Whereas, the Severn River and its tributaries are classified as impaired (Ref I) by the Environmental Protection Agency and the State of Maryland ; and

Whereas, marine water quality in Annapolis' creeks is extremely poor because of discharges from many sources, and a history of poor practices; and

Whereas, boating is an important part of culture and commerce in Annapolis, and our city is popular as a destination and a home port for recreational boating; and

Whereas, that popularity, culture, and commerce are threatened by a perception that Annapolis waters are unclean and worsening, and that our city lags other localities in taking responsible steps to improve marine water quality; and

Whereas, those steps would be helpful in improving a perception of Annapolis as a clean and desirable place for boating, and in generating additional resources to support those steps; and

Whereas, other advisory bodies have already recommended such steps to the city (Ref 2), and we have carefully considered the associated pros and con,

Now therefore be it resolved that the AEC recommends to the Mayor and City Council that the City of Annapolis commence an orderly process for improving marine water quality, in addition to and in conjunction with its overall pollution reduction goals. Recommended steps, as outlined in the accompanying information sheet, would include a formal No Discharge Zone designation of Annapolis waters by the Environmental Protection Agency, measures to improve public and private collection and handling of marine waste, elimination of cost barriers that presently inhibit individual compliance, and leveraging the city's improved environmental competitiveness for increased grant revenue to support necessary improvements.

Approved November 5, 2014

Attachment: Information Sheet on Marine Water Quality Improvement Measures

Ref I . 2002 Waterbody Report for Severn River

Ref 2. Severn River Commission letter, 2010; and Mayor's Transition Team Report. p. 82

Ref 3. Florida Marine Sewage Discharge Regulation. p.10

Ref 4. Polluted Runoff in Anne Arundel County

Information Sheet on Marine Water Quality Improvement Measures

Present Situation

Boating in Annapolis is mostly recreational. Law already prohibits discharging untreated sewage from Type 3 Marine Sanitation Devices (MSD) such as holding tanks and composting toilets (Ref3.) The city operates one or more pumpout boats on its creeks, calling on manned vessels to pump out holding tanks of small boats for a \$5 fee. Larger boats have incrementally larger fees. Some private marina facilities also have pumpout facilities for their customers, varying in their convenience and capacity to meet demand. The city pumpout boat sometimes services private marinas. MSD types 1 and 2 partially treat wastes against bacteria before discharging them into Annapolis waters, but such effluents contain all of the nutrients that are in the original untreated waste. A significant part of the water quality problem in Annapolis waters is excess nutrient loading (Ref 4), partly covered under polluted runoff and point source programs already underway in the city and state. Boats also discharge into Annapolis waters from all MSD types, both legally and illegally depending on MSD type and operator practice. The City has no enforcement powers regarding boat effluent discharges and defers to the state.

Measures to Reduce Nutrient-bearing Marine Discharges

- Increase the level of compliance with no-discharge rules already applicable to type 3 MSDs
- Reduce the number of boats discharging nutrient-laden effluents
- Improve public knowledge & support of pumpout and other requirements
- Enhance the image of Annapolis as an environmentally attractive and protective destination.

Marine No Discharge Zone (NDZ)

This is a federal program wherein states (in our case, via the Department of Natural Resources on behalf of the City) apply to the Environmental Protection Agency to formally designate an area as an NDZ. The program involves public information and input, defining demand for and supply of pumpout facilities, and administration. There would be no change in enforcement, the state would assume any responsibility. As a practical matter, there is essentially no enforcement now and there is likely to be no enforcement in the future. Compliance will depend on effective public information and public support. About 80 NDZs are already recognized by EPA, two in Maryland and one pending for the Chester River. Local administrators of NDZs are unanimous in their enthusiasm after years of experience, have achieved broad public support, have realized tangible benefits, and report no downside. (From interviews with the Nantucket harbormaster, the Bourne MA harbormaster, the owner of two Herring Bay MD marinas.)

Both the Severn River Commission and the former mayor's transition team recommended that Annapolis attain NDZ status and pursue recommendations such as those below.

Actions Recommended by the AEC be taken by the City of Annapolis

- Attain NDZ designation for Annapolis waters.
- Exploit that NDZ designation for increasing grant support for marine water quality programs
- Waive the present \$5 fee for pumping out small boats to increase compliance. Grants already cover most capital and operating costs and most NDZs do this. (Precedents/analogies: Anne Arundel waived tire disposal fees to stop tire dumping in sub-watersheds, and pay toilets are essentially gone now in America.)
- Cooperate with private marinas and other entities in the marine industry to increase the overall effectiveness of both private and public efforts to improve marine water quality.