

Appendix A
1984 Reservoir Watershed Management Agreement

1984 RESERVOIR WATERSHED MANAGEMENT AGREEMENT

THIS AGREEMENT is effective the 4th day of June, 1984 by and among the MAYOR AND CITY COUNCIL OF BALTIMORE, a municipal corporation (hereinafter called "City"), BALTIMORE COUNTY, MARYLAND, a body corporate and politic (hereinafter called "Baltimore County"), and CARROLL COUNTY, MARYLAND, a body corporate and politic (hereinafter called "Carroll County"), the DEPARTMENT OF HEALTH AND MENTAL HYGIENE, a State agency, the DEPARTMENT OF AGRICULTURE, a State agency, the REGIONAL PLANNING COUNCIL, a State intergovernmental agency, the WATER QUALITY COORDINATING COMMITTEE, an intergovernmental body created by compact (hereinafter called "Coordinating Committee" or "Committee"), and the BALTIMORE COUNTY SOIL CONSERVATION DISTRICT, and the CARROLL SOIL CONSERVATION DISTRICT (hereinafter called the "Districts").

WHEREAS, the first Reservoir Watershed Management Agreement executed in 1979 by the City, Baltimore County, and Carroll County provided that the signatories review problems and actions affecting the water supply reservoir watersheds and report results and recommendations to the Water Quality Coordinating Committee; and

WHEREAS, the above parties agree that the 1979 Agreement needs to be strengthened by the addition of specific functions which provide goals toward which reservoir management can be directed, by an organizational framework, and by later incorporation by reference of policies to coordinate work by the signatory governments and governmental agencies to achieve the goals, and

WHEREAS, the General Assembly of the State of Maryland has established through Article 9, Section 325 of the Code of Public General Laws of Maryland that the State Department of Health and Mental Hygiene has statutory power to issue, modify, or revoke permits governing discharge of pollutants into waters of the State; and

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WHEREAS, the General Assembly of the State of Maryland has established through Article 4, Subtitle 25 of the Code of Public Local Laws of Maryland, that Baltimore City has a statutory obligation to protect and otherwise improve reservoir watersheds for the purpose of securing a pure and constant supply of water; and

WHEREAS, Article 4, Subtitle 25 of the Code of Public Local Laws of Maryland authorizes the City and Counties to enter into agreements as may be necessary for these purposes; and

WHEREAS, Baltimore City, Baltimore County, Carroll County, the Regional Planning Council, the Coordinating Committee, the Districts, and the State Department of Health and Mental Hygiene have participated in preparation of a Water Quality Management Plan for the Baltimore Metropolitan Region under Section 208 of P. L. 92-500 (hereinafter called the "Clean Water Plan") and said plan has been approved; and

WHEREAS, the Districts have participated in the development of the State Plan for the Control of Sediment and Animal Wastes to protect water quality (hereinafter called the "State Agricultural Plan") and are the Local Lead Agencies to implement this plan; and

WHEREAS, the General Assembly of the State of Maryland has created the Department of Agriculture pursuant to Agriculture Article 2-101 et seq., Annotated Code of Maryland, with general authority relating to the fostering, protection and development of the agricultural interest of the State; and

WHEREAS, the Maryland Department of Agriculture through the State Soil Conservation Committee is the lead agency in agricultural nonpoint source pollution control as designated in "Maryland's Statewide Agriculture Water Quality Management Program for the Control of Sediment and Animal Wastes", and in that capacity, coordinates with the soil conservation districts; and

WHEREAS, this Agreement represents the preferred alternative for reservoir management as specified in the Clean Water Plan; and

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WHEREAS, the parties recognize the importance of maintaining high water quality in the water supply reservoir to ensure a continued supply of high-quality potable water at reasonable cost; and

WHEREAS, the parties desire that the benefits of and responsibilities for necessary actions be equitably shared by all parties; and

WHEREAS, the Clean Water Plan recommends the continuance of the Coordinating Committee composed of local elected officials of each of the participating jurisdictions and certain State officials, as set forth in Section 2.01(a) of "THE BALTIMORE REGIONAL PLANNING COUNCIL AREAWIDE WASTE TREATMENT MANAGEMENT PLANNING COMPACT;" and

WHEREAS, the Coordinating Committee has an ongoing need for technical information and advice, and has created a Reservoir Watershed Protection Subcommittee and a Reservoir Watershed Technical Group to aid in its work;

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the covenants and agreements set forth hereinafter, it is mutually covenanted and agreed as follows:

ARTICLE I - RIGHTS OF SIGNATORIES NOT TO BE ABROGATED

A. Nothing in this Agreement shall limit or abrogate any right or rights delegated to any of the governments or agencies which are signatories to this Agreement by acts of the General Assembly of the State of Maryland.

B. It is further understood and agreed that the police, legislative and governmental powers of the City, the County Executive and County Council of Baltimore County, the Carroll County Commissioners, and the State of Maryland are in no sense attempted to be abridged or restricted by this Agreement nor are powers of any signatories restricted.

C. Each signatory hereto agrees that participation by any party of this agreement can be terminated by that party with three months notice to the Coordinating Committee.

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ARTICLE II ESTABLISHMENT OF A RESERVOIR WATERSHED MANAGEMENT PROGRAM

A. Organization: The program shall be conducted by the signatories as described below.

The Coordinating Committee shall advise the local governments on coordination of work activities toward conduct of the functions set forth in Article II, Section B. The Committee members from the signatory governments and agencies shall review and discuss the reports of the Reservoir Management Program provided for in Article II, Section B, Subsection 4.

The Committee's Reservoir Watershed Protection Subcommittee (hereafter called the "Subcommittee"), is a special committee of the Coordinating Committee consisting of one Coordinating Committee member or alternate from each of Baltimore City and Baltimore, Carroll, and Howard Counties. The Districts will designate one member each to participate fully in the Subcommittee's meetings. The Departments of Agriculture and Health and Mental Hygiene will also designate one person each to participate fully in the Subcommittee's meetings. The Subcommittee will assist the Committee in its discussions concerning intergovernmental coordination.

The Reservoir Watershed Technical Group (hereinafter called the "Technical Group"), consists of one technical staff representative each from Baltimore City and Baltimore and Carroll Counties designated by the Subcommittee members from the respective jurisdiction and one representative each designated by the Regional Planning Council, the State Department of Health, the State Department of Agriculture and the two Districts. It will provide technical advice and assistance to the Subcommittee and the Committee.

B. Goals and Functions

1. The above organizations shall periodically review and evaluate existing problems and proposed actions which may affect the water supply watersheds as:
 - a. Sources of high-quality raw water for the metropolitan water supply system water; and

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- b. Desirable places for existing recreational, environmental enhancement, aesthetic, wildlife, and other beneficial uses.
2. Baltimore City, Baltimore County, and Carroll County will work in cooperation with Baltimore County Soil Conservation District, Carroll Soil Conservation District, the Regional Planning Council, the Department of Agriculture, and the State Department of Health and Mental Hygiene as expeditiously as possible in cooperatively developing and applying balanced pollution control policies and measures for the water supply watersheds to:
- a. Prevent increased phosphorus and sediment loadings to all three reservoirs; and
 - b. Reduce phosphorus loadings in Loch Raven Reservoir to pre-1970 levels; and
 - c. Reduce phosphorus loadings in Liberty and Prettyboy Reservoirs to acceptable levels.
3. The reviews and evaluations cited in Section B.1 may include reservoir protection policies, development proposals, plans, Best Management Practices, and other matters that affect reservoir water quality and shall be conducted within the framework of and coordinated with the Clean Water Plan, the State Agricultural Plan and State and local laws and programs.

Cooperative arrangements should be developed to ensure that all parties participate actively in work to improve reservoir water quality. Alternative solutions to major reservoir water quality problems should be evaluated and cost-effective measures selected, where feasible, to achieve reservoir goals.

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4. The Technical Group shall report at least semi-annually to the Subcommittee and shall provide technical assistance to the Subcommittee for an annual report by the Subcommittee to the Coordinating Committee and local governments on the following:
 - a. The results of these reviews and evaluations;
 - b. Recommended policies to deal with present or anticipated problems; selected policies shall be incorporated by reference into this Agreement upon approval by all members of the Reservoir Watershed Protection Subcommittee followed by approval by the Coordinating Committee unless there is written objection by one-or more of the signatories to this Agreement.
 - c. Proposed work activities and budget for at least the coming year; and
 - d. Other matters as found necessary or desirable for reservoir watershed protection.

5. The report "Action Strategy for the Reservoir Watersheds" is hereby approved by the signatories. The signatories hereby commit themselves to expeditious implementation of the work activities listed in Chapter III on a continuing basis to incorporate into the recommendations, through the process provided for in Subsection 4.b., above, significant enhancements and technological advances as they become available.

This report is also hereby approved as a proposed amendment to the 1982 Water Quality Management Plan for the Baltimore Region.

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ATTEST:

APPROVED AS TO LEGAL FORM AND
SUFFICIENCY THIS 27th DAY OF
August, 1984.

ASSISTANT ATTORNEY GENERAL

ATTEST:

APPROVED AS TO LEGAL FORM AND
SUFFICIENCY THIS 27th DAY OF
August, 1984.

[Signature]
Counsel

ATTEST:

[Signature]

ATTEST:

[Signature]

ATTEST:

[Signature]

STATE DEPARTMENT OF AGRICULTURE

By: [Signature]

SECRETARY

REGIONAL PLANNING COUNCIL

By: [Signature]

CHAIRMAN

WATER QUALITY COORDINATING
COMMITTEE

By: [Signature]

CHAIRMAN

BALTIMORE COUNTY SOIL CONSERVATION
DISTRICT

By: [Signature]

CHAIRMAN

CARROLL SOIL CONSERVATION DISTRICT

By: [Signature]

VICE CHAIRMAN

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ATTEST:

Custodian of the Seal

APPROVAL AS TO LEGAL FORM AND
SUFFICIENCY THIS _____ DAY OF
_____, 1984.

[Signature]
Assistant City Solicitor

ATTEST:

[Signature]
County Administrator

APPROVED AS TO LEGAL FORM AND
SUFFICIENCY THIS 7/12 DAY OF
June, 1984.

[Signature]
Assistant County Attorney

ATTEST:

[Signature]

REVIEWED AND CERTIFIED FOR LEGAL
SUFFICIENCY:

[Signature]
Carroll County Attorney

ATTEST:

APPROVED AS TO LEGAL FORM AND
SUFFICIENCY THIS 11 DAY OF
June, 1984.

[Signature]
Assistant Attorney General

MAYOR AND CITY COUNCIL OF BALTIMORE
By: [Signature]
MAYOR

BALTIMORE COUNTY, MARYLAND
By: [Signature]
COUNTY EXECUTIVE 6/22/84

CARROLL COUNTY, MARYLAND
By: [Signature]
PRESIDENT
BOARD OF COUNTY COMMISSIONERS
CARROLL COUNTY

STATE DEPARTMENT OF HEALTH AND
MENTAL HYGIENE
By: [Signature]
SECRETARY

Appendix B
1990 Declaration of Reaffirmation of the
1984 Reservoir Watershed Management Agreement

*Declaration of Reaffirmation Of The
1984 Reservoir Watershed Management Agreement*

WHEREAS, organizations and jurisdictions which are parties to this agreement in 1984 executed an agreement which committed them to specific goals, actions, and implementing mechanisms to protect the quality of water in Liberty, Loch Raven, and Prettyboy Reservoirs; and

WHEREAS, the signatories have requested updating of the Action Strategy which accompanies the Agreement; and

WHEREAS, these organizations and jurisdictions to this Agreement have completed six years of successful cooperative endeavors pursuant to the Agreement to implement it; and

WHEREAS, the signatories desire to continue and to extend their cooperative endeavor to protect and to enhance the quality of water in the reservoirs;

NOW THEREFORE BE IT RESOLVED, that the commitments and institutional arrangements recognized or made in the 1984 agreement are hereby reaffirmed including participation in the following forums for cooperative protection action:

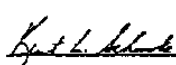
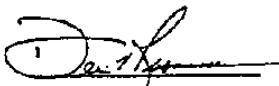
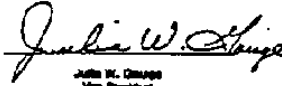
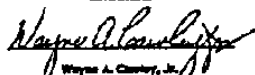
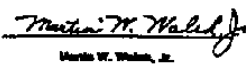
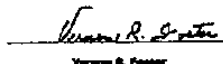

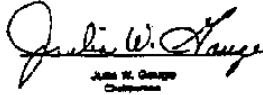

- The Water Quality Coordinating Committee, which provides overall guidance for water quality management planning in the Baltimore Region;
- The Reservoir Watershed Protection Subcommittee, which provides policy advice for the protection of the reservoir watersheds;
- The Reservoir Watershed Technical Group, which provides technical advice for watershed protection; and
- The Baltimore Regional Council of Governments, as the Area-wide Water Quality Management Planning agency, works with the above bodies in joint efforts to update and implement the Action Strategy for the Reservoir Watersheds, coordinate protection efforts and monitor and report progress in achieving reservoir protection goals.

NOW THEREFORE BE IT RESOLVED, that the following goals are hereby reaffirmed:

- Prevent increased phosphorus and sediment loadings to all three reservoirs;
- Reduce phosphorus loadings in Liberty, Loch Raven and Prettyboy Reservoirs to acceptable levels as soon as possible;

In addition, the numerical objectives established in 1984 for reducing phosphorus loads should be re-evaluated and strengthened; and

BE IT FURTHER RESOLVED, that the signatories request that the Regional Water Quality Coordinating Committee through its Reservoir Watershed Protection Subcommittee comprehensively review, and update as soon as possible in 1990 the 1984 Action Strategy for the Reservoir Watersheds, giving emphasis to tightening the water quality objectives, continuing and improving control of pollution from development and farms and protecting forests and vegetated areas in the reservoir watersheds.

 Karl L. Schweska Mayor Baltimore City	 Dennis F. Heintzmann Baltimore County Executive and Chairman, Baltimore Regional Council of Governments	 Julia W. George Vice President Carroll County Board of Commissioners
	 Wayne A. Clancy, Jr. Secretary Maryland Department of Agriculture	 Martin W. Walsh, Jr. Secretary Maryland Department of the Environment
	 Vernon R. Foster Chairman Baltimore County Soil Conservation District	 W. Wilson Lippy Chairman Carroll Soil Conservation District
	 Julia W. George Chairwoman Water Quality Coordinating Committee	 Marvin G. Minz Chairman Reservoir Watershed Protection Subcommittee