



FAIRFAX COUNTY WATER AUTHORITY

8570 Executive Park Avenue

Fairfax, Virginia 22031-2218

[www.fairfaxwater.org](http://www.fairfaxwater.org)

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September 9, 2011

Governor Robert F. McDonnell  
Office of the Governor  
Patrick Henry Building, 3<sup>rd</sup> Floor  
1111 E. Broad Street  
Richmond, VA 23219

*Via e-mail to [robert.f.mcdonnell@governor.virginia.va](mailto:robert.f.mcdonnell@governor.virginia.va)*

*Via facsimile transmission to (804) 371-6351*

Dear Governor McDonnell:

It has come to the attention of Fairfax Water's Board of Directors that the Administration intends to submit draft legislation in the upcoming session of the General Assembly that would have the Commonwealth withdraw from the Interstate Commission on the Potomac River Basin (ICPRB). Our General Manager provided comments on this proposed legislation at the request of the Department of Environmental Quality (DEQ) in a letter dated August 10, 2011 (enclosed).

The Members of the Board of Fairfax Water understand the concerns expressed by the General Manager in his letter, but also understand that they may be called upon to take a formal position on proposed legislation and to defend such a position with our State elected representatives during the General Assembly session. In an effort to be fully prepared to deliberate and take a well-considered position, the Board asked that I write to inquire as to the possible benefits that the Administration believes might come from such a withdrawal from the ICPRB. Before adopting a formal position, our Board wants to make sure that any reasoning that would support withdrawal is fully considered.

I appreciate the opportunity that the Administration provided through the DEQ to review and comment before the legislative session begins.

Sincerely,

A handwritten signature in black ink that reads "Philip W. Allin". The signature is written in a cursive, flowing style.

Philip W. Allin  
Chairman

Encl: Letter to DEQ



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August 10, 2011

*By Electronic Mail*

Jefferson Reynolds, Esq.  
Virginia Department of Environmental Quality  
629 East Main Street  
Richmond, VA 23219

Subject: Legislative Proposal Related to Withdrawal from the ICPRB

Dear Mr. Reynolds:

Fairfax Water is the largest water utility in the Commonwealth of Virginia, serving one of every five Virginians who obtain their water from public utilities. Nearly 1.7 million people in Northern Virginia, including large portions of Fairfax, Loudoun, and Prince William Counties, the Town of Herndon, Dulles Airport, Ft. Belvoir, and the City of Alexandria depend on Fairfax Water for their drinking water. Fairfax Water relies on the Potomac River as its primary water supply source. Additionally, major population centers in Arlington County, the City of Falls Church, and the Towns of Vienna and Leesburg use the Potomac as their source of supply.

The legislative proposal withdrawing Virginia's membership from the Interstate Commission on the Potomac River Basin (ICPRB) could have **serious consequences for regional cooperative water supply operations and could jeopardize the reliability of the Potomac River as a water supply source during droughts. Of critical importance to Fairfax Water and the Commonwealth is the ICPRB's role in coordinating water supply operations for the Potomac River. As such, Northern Virginia, an economic engine within the Commonwealth, would be adversely impacted by Virginia's withdrawal from the ICPRB.**

Congress established the ICPRB in 1940 to help the Potomac basin states and the federal government to "enhance, protect, and conserve the water and associated land resources of the Potomac River basin through regional and interstate cooperation." In 1970 the scope of the ICPRB was expanded to include water supply issues. As a

watershed-based, inter-jurisdictional organization established to support regional cooperation, the ICPRB was uniquely suited to develop a solution to the serious water shortages faced by the Washington, D.C., metropolitan area several decades ago. These shortages were effectively resolved through establishment of regional cooperative agreements.

In 1982 the Washington, D.C., metropolitan area water suppliers and the ICPRB signed the *Water Supply Coordination Agreement (WSCA)*, creating a framework for water supply planning, drought management, and resource optimization on the Potomac River. The WSCA is a premier example of coordinated regional planning and promotes a sharing of benefits, risks, and resource costs. The Section for Cooperative Water Supply Operations on the Potomac River (CO-OP), a division of the ICPRB jointly funded by participating water suppliers, facilitates implementation of the WSCA by providing a neutral platform for negotiation, planning, and study of this valuable resource.

The cooperative agreements governing the Potomac River were developed within the framework of the ICPRB. The ICPRB has been and continues to be instrumental in the implementation of the WSCA, providing technical support that includes the following: continuous monitoring of hydrologic conditions; modeling and analysis; operational coordination during drought events; and facilitation of dialogue. Elimination of the ICPRB would effectively eliminate the framework underlying these agreements, thereby jeopardizing effective management of the river. The 1999 and 2002 droughts served as reminders that clear, practiced drought operations are invaluable during an actual drought event. The ICPRB continuously refines and tests the region's drought-operations procedures, one of the key reasons for the program's success to date. Rigorous planning also ensures that adequate water supplies are developed early and that communities are prepared to meet water supply needs. The ICPRB offers a neutral and impartial perspective that would be nearly impossible to replicate. The ICPRB's role will be increasingly important in the future as the Potomac River is increasingly stressed.

The WSCA and the CO-OP program have been frequently cited as models for regional coordination and management of water resources on a river-basin level *during development of the Commonwealth's own water supply planning program*. The ICPRB CO-OP has also been cited as a model for conflict resolution in other river basins in the Commonwealth. Decimating the ICPRB by withdrawing Virginia's participation and funding would be detrimental not only to the water suppliers like us who rely on the Potomac River, but also to the DEQ as it deliberates how to manage future water supply constraints through the water supply planning process now underway.

Through its role in administering the Potomac River Basin Drinking Water Source Protection Partnership, the ICPRB has also played a critical role in calling attention to, and developing solutions for, drinking water quality threats to the Potomac such as emerging contaminants, agricultural runoff, and urban stormwater contamination.

It is worth noting that the ICPRB allows for leveraging of financial resources among multiple agencies, minimizes duplication of effort, and ensures communication on key issues among a variety of stakeholders.

The largest portion of the drainage area for the Potomac River basin – 39% – comes from Virginia. The next largest contributors are Maryland (26%) and West Virginia (24%). Virginia's withdrawal from the ICPRB would have undesirable consequences not only for Virginia's compact partners, but for the residents and businesses in Northern Virginia who depend on the Potomac River and rely on the existing system for cooperative water supply. Virginia must maintain a seat at the table with other states in the Potomac watershed where critical water quality, water supply, and recreation issues are being deliberated and resolved. Withdrawing from this partnership would undermine the cooperative basis for the many programs that have developed over the years to benefit the region and minimize conflict, especially in the management of water supply.

Fairfax Water believes that its ability to ensure a **reliable water supply for Northern Virginia would be undermined if Virginia withdraws from the ICPRB. We strongly urge DEQ not to propose this legislation.**

Sincerely,



Charles M. Murray  
General Manager

cc: David Paylor, Director, Virginia Department of Environmental Quality  
Angela Jenkins, Policy Director, Virginia Department of Environmental Quality  
Members of the Water Supply Plan Technical Advisory Committee  
Stuart Freudberg, Director, Department of Environmental Programs  
Metropolitan Washington Council of Governments  
Joseph Hoffman, Director, Interstate Commission on the Potomac River Basin  
Anthony H. Griffin, Fairfax County Executive