

MEMORANDUM OF UNDERSTANDING  
BETWEEN THE UNITED STATES COAST GUARD, FIFTH DISTRICT

AND

THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION III  
CONCERNING THE CHESAPEAKE BAY REGION

SECTION I

GENERAL

The Chesapeake Bay is one of the largest and most productive estuaries in the world. Use of the Bay's waters for recreation, commercial fishing, and transportation is extensive. Past practices and a dramatic population increase in the Bay's drainage areas are affecting water quality and aquatic life in the Bay. At the federal level, the United States Coast Guard (USCG) and the United States Environmental Protection Agency (EPA) are charged with enforcing and administering a number of laws to protect the environment.

EPA Region III, through the Chesapeake Bay Program Office, has lead responsibility within the federal government for developing and implementing plans to evaluate, protect and restore water quality within the Chesapeake Bay watershed. The plans primarily address chronic threats to the Bay. Both EPA Region III and the Fifth Coast Guard District have responsibilities to prevent oil and chemical spills and to insure effective response when they occur. Specific agency responsibilities are defined by statute, regulations, and the Federal Region III Oil and Hazardous Substances Pollution Contingency Plan. Inland, the EPA has the lead for spill response, while, in the coastal waters, the USCG has the lead responsibility. Each agency also carries out certain regulatory programs intended to control discharges that could adversely effect water quality in the Bay.

MODIFICATION AND TERMINATION

This Memorandum of Understanding (MOU) may be modified or amended upon request of either party with the concurrence of the other. The MOU may be terminated with 60-day's notice by either party.

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## SECTION II

### COORDINATION

In consonance with the designated geographic and programmatic areas of responsibility, the EPA and the USCG agree to work cooperatively to fulfill the objectives of the 1987 Chesapeake Bay Agreement -- forming a strategic alliance to protect the Bay's environment through the following initiatives:

Coordination: The EPA and the USCG shall meet at least annually to review issues relevant to this agreement. Results of that meeting shall be reported in the federal coordination section of the Chesapeake Bay Annual Report to Congress.

Participation: The Commander of the Fifth Coast Guard District shall be a full member of the Implementation Committee. The District shall also designate a representative to be a member of the Federal Agencies Committee. In addition, EPA shall solicit participation by the USCG, as needed, in meetings of the Principal Staff Committee and the Chesapeake Executive Council.

State Relations: The EPA and the USCG shall continue to cooperate with the states, as well as with the Chesapeake Bay Commission and Federal natural resource agencies to assist in efforts to enhance, restore and protect the environmental condition of the Chesapeake Bay, such as through the Area Committees (formed under the authority of the Oil Pollution Act of 1990). These efforts, while varying significantly, may include: data management and mapping, research, technology transfer, training of state enforcement personnel, and analytical support as well as site and project specific issues.

Environmental Enforcement: When specific or potential incidents warrant, the EPA and the USCG shall exchange information for the purposes of identifying, monitoring and taking appropriate enforcement actions against facilities and vessels that have the potential for discharging pollutants or contaminants subject to the environmental regulations managed by each agency.

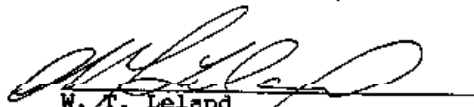
Pollution Prevention and Education: The EPA and the USCG shall continue to promote pollution prevention as the preferred approach for reducing ecological and human health risks in the Chesapeake Bay region and coordinating information and education plans designed to prevent pollution in Chesapeake Bay. Such plans shall encourage public outreach to Chesapeake Bay user groups seeking pollution prevention information.

Emergency Spill Planning and Response: Through the Area Committees, the EPA and the USCG will work to improve planning for and response to spills of oil and hazardous materials. The EPA will make available to the USCG, on an as-needed basis, the expertise of the Scientific and Technical Advisory Committee -- an advisory board comprised of the leaders of the major university and governmental organizations in the Chesapeake Bay watershed. The EPA will also assist the USCG, on an as needed basis, with the identification of sensitive resources and environmentally sensitive areas within the Chesapeake Bay. Regardless of which agency has responsibility to provide a predesignated on-scene-coordinator under the National and Regional Contingency Plans, both shall provide mutual support and assistance to ensure a coordinated response to spills of oil and hazardous material within the Bay watershed.

Regional Response Team: The EPA and the USCG will continue to provide aggressive leadership and direction to the Regional Response Team (RRT) as co-chairs to the Federal Region III RRT. The agencies will coordinate with state and local emergency preparedness agencies and Area Committees, through state RRT representatives to improve planning and responses to spills of oil and hazardous materials.

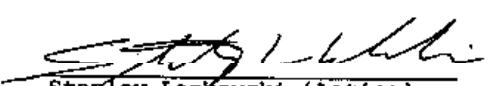
Recreational Vessel Waste Management: As the 1987 Bay Agreement includes the commitment "to eliminate pollutant discharges from recreational boats," the EPA and the USCG shall work together to pursue that goal, by promoting the implementation of the recommendations of the Recreational Boat Pollution Workgroup dated 08 January 1991.

Introduction of Non-Native or Undesirable Organisms: Although no definitive comprehensive prevention method exists, the EPA and the USCG recognize that exotic species can pose serious threats to the ecological integrity of Chesapeake Bay.

  
W. F. Leland  
Rear Admiral  
Commander  
Fifth Coast Guard District

Date

5/19/93

  
Stanley Laskowski (Acting)  
Regional Administrator  
U.S. Environmental  
Protection Agency  
Region III

Date

5/24/93

