

**Government of the District of Columbia
Office of the Chief Financial Officer**



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chair, Council of the District of Columbia

FROM: Natwar M. Gandhi
Chief Financial Officer

DATE: JUL -5 2007

SUBJECT: Fiscal Impact Statement: "Inaugural D.C. Triathlon Emergency Amendment Act of 2007"

REFERENCE: Draft Legislation – No Bill Number Available

Conclusion

Funds are sufficient in the FY 2007 budget and the proposed FY 2008 through 2011 budget and financial plan to implement the proposed legislation. The D.C. Department of the Environment (DDoE) can absorb the cost of verifying the results of Potomac River water quality testing samples without additional appropriations.

Background

The proposed legislation would amend section 1158.5 of Title 21 of the District of Columbia Municipal Regulations (21 DCMR § 1158.5) to create a limited exception to the prohibition against swimming in the Potomac River to allow a swim event as part of the first sanctioned triathlon in the District of Columbia to be held on September 29, 2007.

The sponsors of The Nations Triathlon, LLC ("TNT") have proposed organizing and hosting a triathlon in the District of Columbia, a portion of which would take place in the Potomac River. Their efforts to host a triathlon last year failed because they were unable to prove that the water quality in the Potomac was sufficient to support a swimming event. District of Columbia Municipal Regulations currently contain a blanket prohibition against swimming in the Potomac River.

In order to provide sufficient proof that the water in the Potomac River is at times of sufficient quality to allow swimming without unreasonable risk to health, TNT was requested to conduct tests of the water quality in the Potomac River as a condition precedent to the issuance of a swim permit. Testing was conducted by EMSL Analytical Laboratory, Bel Air, MD, an environmental laboratory operating since 1981. The first test and reports were completed in February 2007, and additional testing and reporting was done in March, April and June 2007, and provided to the District.

The testing showed that, during testing times, the water in the Potomac was of sufficient quality to support swimming. In order to issue a permit, the proposed legislation is needed to allow a limited exception to the general prohibition against swimming in the Potomac. Water quality testing will continue through the time of the triathlon, and in the event that laboratory examinations of samples collected prior to the date of the event suggest to the Director of DDoE that swimming in the Potomac River should be prohibited on September 29, 2007, the exception would not apply.

Financial Plan Impact

Funds are sufficient in the FY 2007 budget and the proposed FY 2008 through 2011 budget and financial plan to implement the proposed legislation. DDoE can absorb the cost of verifying the results of Potomac River water quality testing samples without additional appropriations. As a third-party would be conducting the water quality tests, the District would not incur costs associated with this process.