

**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: MAY 14 2008

SUBJECT: Fiscal Impact Statement: "Special Events Swimming Exception Amendment Act of 2008"

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.

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 an exemption to the prohibition against swimming in the Potomac River or the Anacostia River to allow a swim event as part of special events authorized by the Mayor of the District of Columbia. District of Columbia Municipal Regulations currently contain a blanket prohibition against swimming in the Potomac or Anacostia Rivers.

A similar temporary exemption was enacted for a single day, September 29, 2007, for the first sanctioned triathlon in the District of Columbia. The sponsors of The Nations Triathlon, LLC ("TNT") organized and hosted a triathlon in the District of Columbia on that date, a portion of which would take place in the Potomac River.

In order to provide sufficient proof that the water in the Potomac River is, at the time of any event, 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.

It is assumed that the costs of any water quality testing associated with future special events involving swimming the Potomac or Anacostia Rivers would likewise be conducted by third-party laboratories, the cost of which would be covered by the organizers of those events.

Financial Plan Impact

Funds are sufficient in the FY 2008 budget and the proposed FY 2009 through 2012 budget and financial plan to implement the proposed legislation. As it is assumed that a third-party would be conducting any water quality tests associated with swim events in the District of Columbia rivers, the District would not incur costs associated with this process.