

MODIFICATION NO. 2

POTOMAC RIVER LOW FLOW ALLOCATION AGREEMENT

DATED AS OF JANUARY 11, 1978

ARTICLE 2, B. 1. is modified to read as follows:

"1. Alert Stage. When the total daily withdrawal from the subject portion of the Potomac River is equal to or greater than fifty percent (50%) of the total daily flow, but less than eighty percent (80%), the Aqueduct may, after consultation with the General Manager of the Commission and the Engineer-Director of the Authority, declare an "Alert Stage" to be in effect."

ARTICLE 2, B. 2. is modified to read as follows:

"2. Restriction Stage. When the total daily withdrawal from the subject portion of the Potomac River is equal to or greater than eighty percent (80%) of the total daily flow, the Aqueduct may, after consultation with the General Manager of the Commission and the Engineer-Director of the Authority, declare a "Restriction Stage" to be in effect and, upon such declaration, the Aqueduct will request the U.S. Park Service to discontinue putting Potomac River water into the C&O Canal."

ARTICLE 2, B. 3. is modified to read as follows:

"3. Emergency Stage. When the estimated total daily withdrawal for any day within the ensuing five (5) days from the subject portion of the Potomac River is expected to exceed the daily river flow anticipated, the Aqueduct may, after consultation with the General Manager of the Commission and the Engineer-Director of the Authority, declare an "Emergency Stage" to be in effect."

ADOPTION BY GOVERNING PARTIES

At a meeting held on the 19th day of April 1985, and by subsequent correspondence and telephone polling, representatives of the governing parties unanimously recommended

C-E-R-T-I-F-I-C-A-T-E

We, the undersigned representatives of the governing parties to the Potomac River Low Flow Allocation Agreement, dated January 11, 1978, do hereby certify that, at a meeting held on this 15th day of April, 1982, we unanimously approved the hereunto attached Modification No. 1 to the said Agreement and agreed to recommend the adoption thereof by our respective governing parties.

Witness the following signatures:

REPRESENTATIVE OF THE
UNITED STATES OF AMERICA

James W. Lock
COL DISTRICT ENGINEER
(Title)

REPRESENTATIVE OF THE
COMMONWEALTH OF VIRGINIA

David W. Muller
District Manager SWCB
(Title)

REPRESENTATIVE OF THE
STATE OF MARYLAND

James B. Hamilton
Sect. Md. Dept. of Natural Res.
(Title)

REPRESENTATIVE OF THE
DISTRICT OF COLUMBIA

Stuart B. Johnson
DIRECTOR DC-DES
(Title)