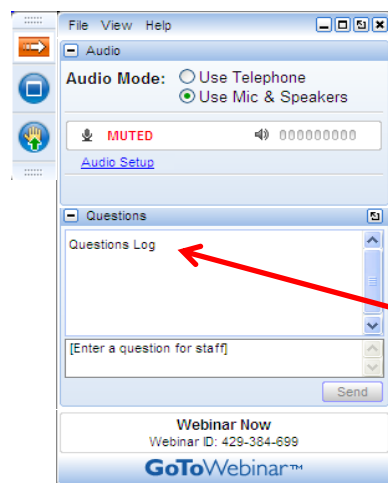


WEF Government Affairs Committee – Member Association Federal and Regional Update and Dialogue September 20, 2018

Brandon Koltz/Julie Narhgang
WEF GAC MA Subcommittee Chair/Vice Chair

How to Participate Today



- **Audio Modes**
 - Listen using Mic & Speakers
 - Or, select “Use Telephone” and dial the conference (please remember long distance phone charges apply).
- **Submit your questions using the Questions pane.**
- **A recording will be available for replay shortly after this webcast.**

Quarterly Webinars to Provide Regulatory Update

- The WEF Government Affairs Member Association Subcommittee was formed to increase communication between WEF and the MAs, among MAs.
- Increase awareness of legislative and regulatory initiatives at the federal level
- Provide awareness of legislative, regulatory and policy initiatives and implementation at the EPA Regional and State level
- Intention is to host a web dialogue quarterly, or ad hoc if significant issues develop (Plus WEFTEC Dialogue)
- Each update will feature reports from 3 to 4 MAs representing different EPA Regions
- Invite feedback on the format – submit local issues for discussion

Agenda

- I. Introduction – Brandon Koltz, WEF Member Association Subcommittee Chair
- II. Federal Update (10 min.)
- III. Update from EPA Region 2 by New York WEA (10 min.)
- IV. Update from EPA Region 7 by Iowa WEA (10 min.)
- V. Update from EPA Region 7 by Missouri WEA (10 min.)
- VI. Update from EPA Region 10 Pacific Northwest Clean Water Association (10 min.)
- VII. Q&A (10 min.)

WRDA 2018

S. 3021, America's Water Infrastructure Act

Passed House, expected to pass Senate this week or next.

Includes:

- WIFIA reauthorization* (\$50M/yr) w/ SRF benefits
- Stormwater Infrastructure Funding Task Force*
- Grants for climate change adaptation*
- Grants (\$1M/yr) for water workforce development*
- Grants (\$225M/yr) to states for stormwater, CSO, SSO infrastructure projects for reuse and recycling
- Grants (\$25M/year for 2 years) to non-profit entities for technical assistant to POTWs
- WaterSense Program Authorization
- Drinking Water SRF Reauthorization (\$4.424B over next 3 years)

Excluded: Integrated Planning and Affordability!

* = WEF backed provisions



Stormwater Riders & Legislation

H.R. 3906, Innovative Stormwater Infrastructure Act of 2018 – federal, state, local and stakeholder non-profit stormwater infrastructure financing task force

Heck Amendment to H.R. 6147 -- \$500,000 to complete EPA Clean Watersheds Needs Survey



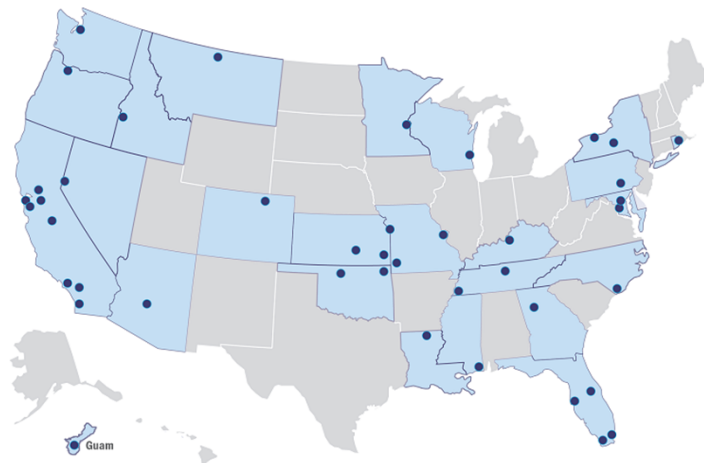
Fiscal Year 2019 Appropriations

Program	FY17 Enacted	FY18 Omnibus	Pres. FY19	House FY19	Senate FY19	Function
Clean Water SRF	\$1.394B	\$1.6B	\$1.394B	\$1.5B	\$1.5B	Wastewater & Stormwater Loans
Drinking Water SRF	\$863M	\$1.1B	\$864M	\$1B	\$1B	Drinking Water Loans
WIFIA	\$28M	\$63M	\$20M	\$75M	\$63M	All Water Infrastructure Loan
USDA Water & Wastewater Loans & Grants	\$392M	\$500M	\$0	\$500M	\$500 M	Rural Communities Loans and Grants
Total Combined	\$2.677B	\$3.263B	\$2.278B	\$3.075B	\$3.063B	



WIFIA FY 2018 Letters of Interest

(Grouped by Core Based Statistical Area)



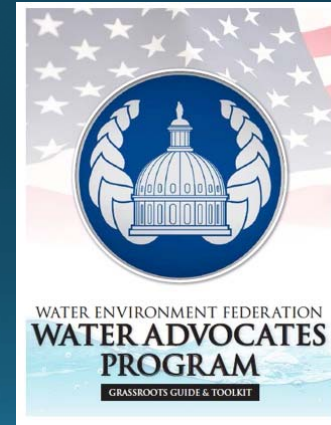
Number of Projects: 62
 Total Loan Amount Requested: \$9.1 billion
 Total Project Investment: \$19.9 billion

www.epa.gov/wifia/wifia-letters-interest



Water Advocates Program

- **WEF.org – Advocacy tab**
- **New Website:**
 - <http://wef.org/advocacy/water-advocates2/>
- **New Toolkit** (*posted on new website*)
 - Tips and Guidance on how to be an effective advocate
- **Joining the Program is easy:**
 - wateradvocates@wef.org
 - <http://wef.org/advocacy/water-advocates2/>
 - <http://cqrcengage.com/wef/wateradvocates>



**New York Water Environment
 Association – Public Policy
 Involvement
 Collaboration, Engagement and Visibility
 (EPA Region 2)**

How We Are Organized



- **MA Officers and Board** – Identify topics of interest or concern and must approve any official statement, letter, position etc.
- **GAC** – Takes the lead on developing position on emerging issues, federal and State regulations, federal legislation etc. Often works with volunteers from technical committees
- **NY Legislation Working Group**– Short term working group that meets by telephone during the NY Legislative season (Jan. to June). Comprised of GAC volunteers, current and past Officers and Board members, Utility GAC professionals and NYWEA Staff.
- **Utility Executive Committee** – Key committee involved in flagging issues, formulating positions etc.
- **Staff** – Executive Director and a part time Legislative Liason are heavily involved.

NY Legislation Working Group



- Formalized for about 5 years, after proposed legislation caught us by surprise.
- GAC takes the lead in putting group together each year, but all volunteers are accepted.
- Key word searches of the 17,000+ bills introduce each session followed by discussion and action.
- Meet every 2 weeks, can meet more often at end of session.
- Hiring a part-time permanent Legislative Liaison has been tremendously helpful.

NY Legislation Working Group – Hot Topics



2017-2018

- **Drug Take Back** – Passed and signed
- **NY SRF** – Extended dates of favorable provisions, signed
- **Biosolids Spreading Moratorium** educational letter sent to sponsor and others – bill died

Expected 2019

- **Potential Mandatory Acceptance of Food Wastes by POTWs**
- **Emerging Contaminants**
- **Plastic Bags Ban**
- **Infrastructure financing** always an issue. P3s are difficult in NY
- **Climate resiliency** measures

Water/Wastewater Infrastructure Finance – Collaboration with 2 Groups



- **NY Water Infrastructure Coalition** - Adirondack Council, Audubon NY, Citizens Campaign for the Environment, Construction Industry Council/Building Contractors Association, Environmental Advocates of New York, Food & Water Watch, NRDC, Riverkeeper (and similar) The Nature Conservancy in New York
 - Each year develop a common “ask”
 - In 2017 helped get a \$2.5B 5+ year Water Infrastructure Finance Bill passed
 - Added benefit of working with the citizen environmental groups
- **NY Water Professional Groups** – NYSAWWA and NY Rural Water
 - Jointly sharing the cost of Legislative Liaison
 - Joint meetings with Governor’s office, NY-EFC and others
 - Joint conference on Asset Management and Finance this fall

Regulatory and Related Issues



- NYWEA assumed the role of the official training provider for WW operator's mandatory continuing education when budget cuts forced the State to halt training.
- NYWEA GAC and technical committee members have held discussions with NYSDEC as it works to develop numeric nutrient and bacteria WQSs.
- Met with NY-EFC to discuss how the \$2.5B Water related infrastructure money was to be made available, learned that POTW/ Drinking Water asset management and rate setting were of concern.
- Submitted letter to USEPA stating that "smarter regulations", not more or less regulations are what is needed.
- May get involved in discussions of a possible Hudson River storm surge barrier.
- Watching closely the litigation on whether discharges to groundwater need S/NPDES permits. Groundwater is a "Water of NY"

Member and Public Education

- **Operator training** – Training offered across the state on a wide variety of topics. Routine communication with operators in online newsletter, *Thru the Barscreen*
- **Quarterly Clear Waters magazine** – Goes to all members in print and on-line, partially available on-line to the general public. Each issue typically has a theme with articles by state, local and sometimes EPA regulators and technical professionals working on the topic.
- **Annual, Spring and specialty conferences** - NYWEA is an approved NY Continuing Ed. Credit approver.
- **Publications**
 - *Sustaining and Enhancing New York's Clean Water: Required Investment in Vital Infrastructure*
 - *Water Infrastructure: Everyone Needs to Understand the Issues*
 - *Operator of the Future*
- **On-Line video messages**



Iowa Water Environment Association September 2018 State Issues

1. Blending
2. CBOD / BOD Issue
3. Metals and Selenium Water Quality Standards

Blending


1. Sept. 13 EPA invitation only meeting on EPA blending rules
 - Claudio Ternieden update
 - May have update from John Hall
2. No progress in IDNR implementation of blending policy
 - Iowa League of Cities v. EPA lawsuit

CBOD / BOD Issue

1. Recent requirement for use of BOD for plant influent monitoring
2. Requirement for BOD as plant design parameter
3. Prohibits use of CBOD for design, influent monitoring, and industrial user discharge limits
4. IAWEA working with WEF
 - Survey of MAs on state policies and rules regarding use of CBOD and BOD for design criteria, monitoring parameters, and industrial user discharge limits
 - Discussion at WEFTEC Government Affairs Committee meeting
 - Potential WEF technical paper – Dr. James Young and Peter Vonrolleghem
 - Potential WEF comment on draft Iowa NPDES discharge permit

Water Quality Standards

1. Metals
 - Revising standards from “total recoverable” to “dissolved” metals
2. Aluminum
 - Revising standards from “total recoverable” to “bioavailable”
 - Modifying aluminum sample preparation method to less aggressive acid digestion (due to aluminum release from clay) – Oregon method
3. Selenium
 - Delaying adoption of EPA Guideline Criteria until evaluation of Iowa conditions – fish flesh and stream concentrations
 - Considering “trigger” concentration concept and bioaccumulation translator



"The best way to predict your future is to create it."

Jay Hoskins (MSD) & Lacey Hirschvogel (MPUA)

MDNR's Version of "Cooperative Federalism"

MDNR Letter to Deputy Administrator Chu, 9/18/2017

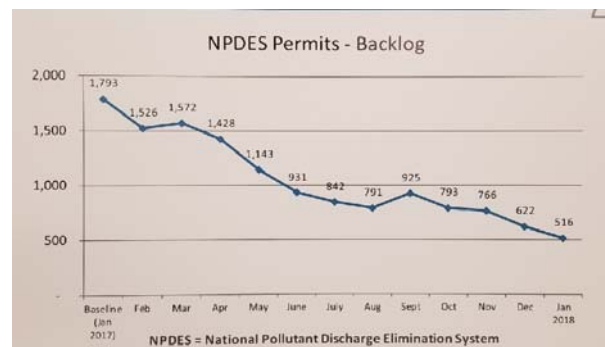
"MoDNR will continue to stand on its own two feet on environmental matters in Missouri, a vision that aligns squarely with the principle of cooperative federalism"

- State should craft policy and implement programs articulated by state and federal statutes
- Requested that EPA "step back" from routine inspection and enforcement
- Limit practice of scrutinizing NPDES permits
- EPA should maintain appropriate oversight role

Ed Galbraith

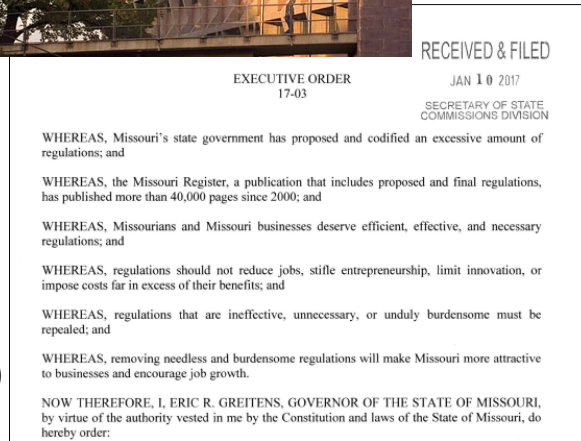
Director, Division of Env. Quality

MDNR

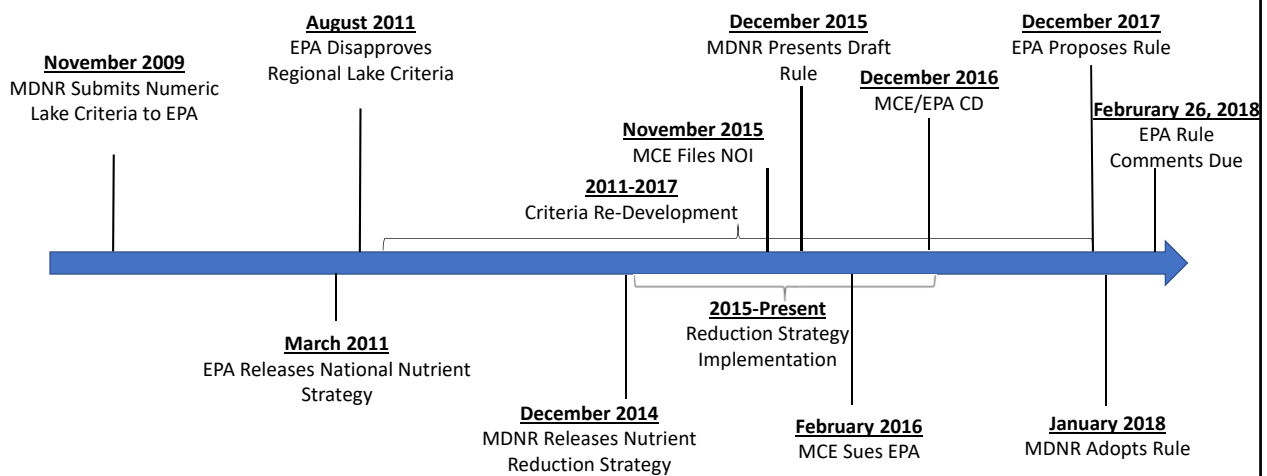


Red Tape Reduction

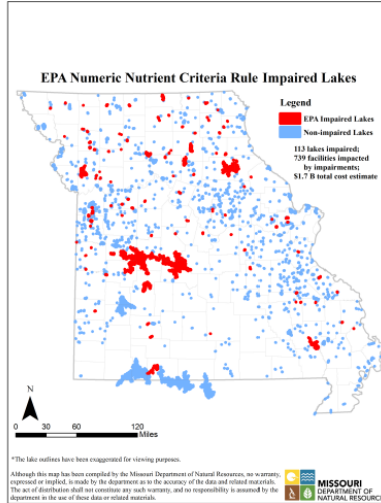
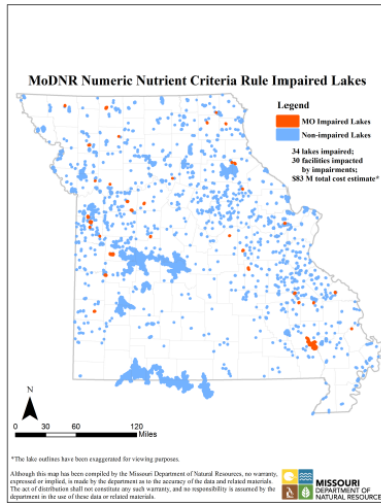
- Governor Greitens Executive Order 17-03
 - Required review of every state regulation
 - Take any action necessary for repeal
- Affected Regulations - Missouri
 - 10 CSR 20-4 (Grants & Loans)
 - 10 CSR 20-6 (Permits)
 - 10 CSR 20-7 (Effluent Regulations)
 - 10 CSR 20-8 (Design Guides)
 - 10 CSR 20-9 (Treatment Plant Operations)
 - And others



Missouri's Lake (Reservoir) Nutrient Criteria History



Estimated Impacts of the Criteria Alternatives

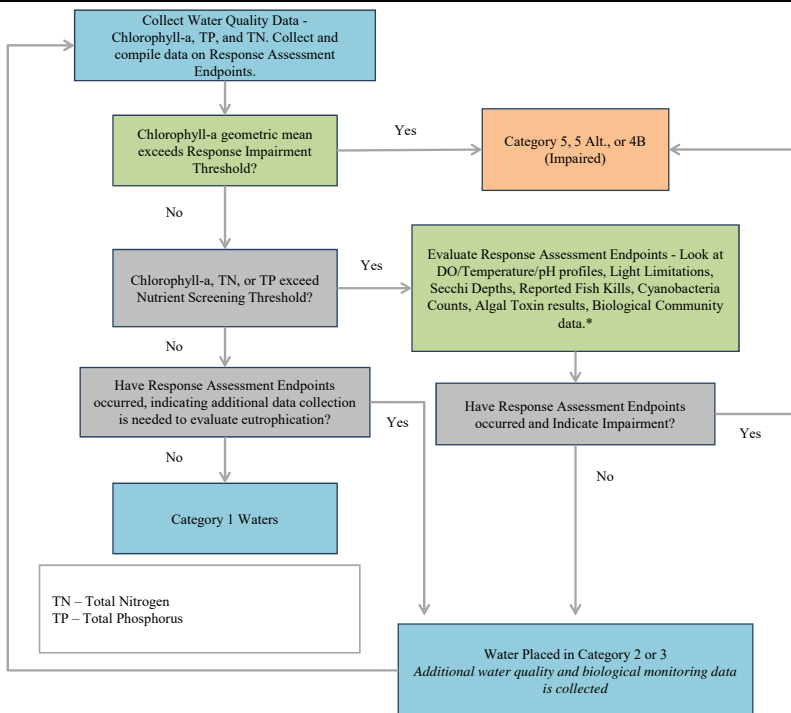


- Impairments
 - 34 vs. 113
 - Lake of the Ozarks
 - Truman Lake
 - Mark Twain Lake
- Wastewater Facilities
 - 30 vs. 739
- Cost
 - \$83.1 Million vs. \$1.7 Billion

Missouri's Proposed Numeric Lake Nutrient Criteria

Lake Ecoregion	Chl-a Response Impairment Thresholds (µg/L)
Plains	30
Ozark Boarder	22
Ozark Highland	15

Lake Ecoregion	Nutrient Screening Thresholds (µg/L)		
	TP	TN	Chl-a
Plains	49	843	18
Ozark Boarder	40	733	13
Ozark Highland	16	401	6



Missouri Lake Nutrient Criteria Permit Implementation

- Discharges to Unimpaired Lakes: Three-Phase Approach
 - Data Collection and Analysis
 - Voluntary Plant Optimization and Source Controls
 - Final Effluent Limitations for TP (where there is reasonable potential)
- Discharges to Impaired Lakes
 - Final Effluent Limitations for TP and/or TN (where there is reasonable potential)

Pacific Northwest Clean Water Association
EPA Region 10



Common Goals

- We have the same goal to protect human health and environment
- Seek to cooperate with common objective
- Workable and implementable permits
- Work to use the tools available to develop permits that encourage proactive actions, provide for predictable compliance and achievable conditions
- Need to allow for long term planning focused on watershed improvements



Standards and Policy Development

- Unachievable Water Quality Standards – e.g. Mercury and Human Health criteria
- State support and funding,
- Cooperative federalism
- Beneficial Reuse and Resource Recovery



Issues for Permitting

- Maximum Extent Practicable (MEP) standard in municipal stormwater permits
- Wet Weather Policy, Blending
- Water Quality Trading & Innovation
- Use of available CWA tools
 - Variances, site-specific criteria, UAA, TMDLs
- Integrated Planning
- Permit term



Government Affairs at WEFTEC: Events You Don't Want to Miss!

Save the Date!

- **WEF Government Affairs Subcommittees Meeting - Legislative, Regulatory and Policy**, Sunday, Sept. 30, 10 AM - 12 PM, Rooms 383-385, New Orleans Convention Center
- **WEF Government Affairs MA Subcommittee Meeting**, Sunday Sept. 30, 1 – 2 PM, Rooms 383-385, New Orleans Convention Center
- **WEF Government Affairs Committee**, Sunday, Sept. 30, 3 – 4:30 PM, Rooms 383-385, New Orleans Convention Center
- **Water Policy Update (Session 200)**, Monday, Oct. 1, 1:30 – 5 PM, Rooms 238-239, New Orleans Convention Center.

Thank You Very Much for Participating!

Please contact us with any questions!