



1

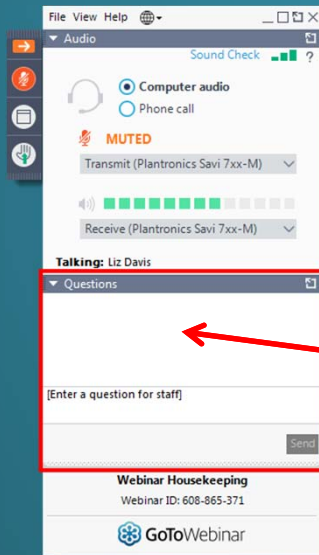
**Member Association Legislative &
Regulatory Update**

Wednesday, May 19, 2021
1:00 – 2:30 PM ET

The Water Environment Federation logo is located in the bottom right corner of the teal slide. It features the same stylized white 'W' and text as seen in the first slide, but in a smaller size.

2

How to Participate Today



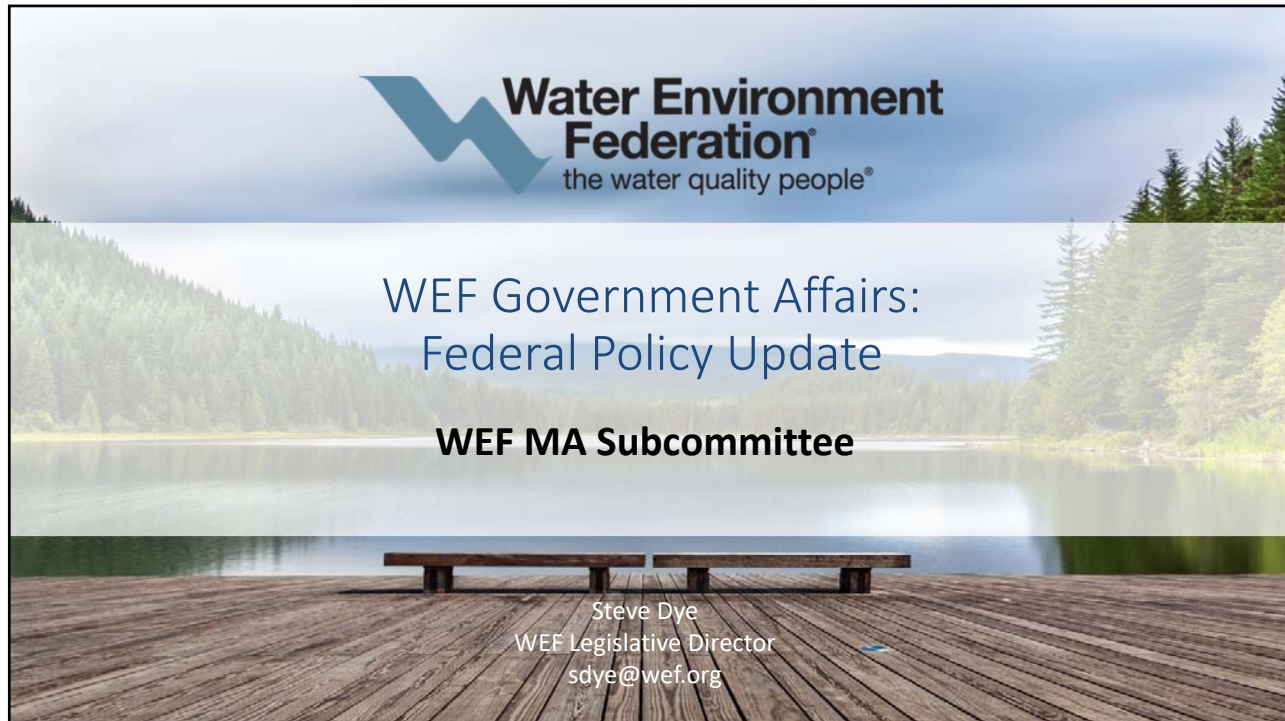
- **Audio Modes**
 - Listen using Mic & Speakers
 - Or, select “Use Telephone” and dial the conference (please remember long distance phone charges apply).
- **Submit your questions using the Questions pane.**
- **A recording will be available for replay shortly after this webcast.**

3

Today's Speakers

- Brandon Koltz and Julie Nahrgang, *moderators*
- Steve Dye (WEF), Federal Policy Update
- Jamie Piziali, U.S. EPA Municipal Ombudsman
- Ben Pearson & Dan Bisson, New England WEA
- Greg Sindt, Iowa WEA
- Nathan Vassar, WEA Texas
- Brady Dryer, Indiana WEA

4



5

President Biden's American Jobs Plan - Infrastructure Proposal

- \$2 Trillion funded primarily by reversing 2017 corporate and global tax cuts
- Includes funding for Water, Transportation, Broadband, Energy, Housing, Education, R&D, Manufacturing, Homecare, and more programs
- \$111 Billion in Water Infrastructure Provisions:
 - \$45 Billion for Lead Service Lines
 - \$10 Billion for PFAS in Drinking Water
 - **\$56 Billion to “upgrade and modernize” Drinking Water, Wastewater, and Stormwater Infrastructure for “grants and low-interest loans”.**

6

Republican Infrastructure Proposal

- \$568 Billion over five years funded through existing taxes and user fees.
- Only focused on traditional infrastructure: roads and bridges; public transit systems; rail; safety; drinking water and wastewater infrastructure; inland waterways and ports; airports; broadband infrastructure; and water storage.
- **\$35 billion for Drinking Water and Wastewater infrastructure**
 - *The same as in the Senate-passed bi-partisan S. 914, the Drinking Water & Wastewater Infrastructure Act of 2021*

7

Senate - Drinking Water & Wastewater Infrastructure Act of 2021, S. 914


- **Total Bill Cost: \$35 billion over 5 years**
- Clean Water SRF & Drinking Water SRF: *Each* at \$14.65 billion over 5 years
- WIFIA: \$250 million over 5 years
- Low-Income Water Ratepayer Assistance grant pilot program
- Sewer Overflow & Stormwater Reuse Municipal Grants: \$1.4 billion over 5 years
- Alternative Source Water Pilot Program: \$125 million over 5 years
- Wastewater Energy Efficiency Grant Pilot Program: \$100 million over 5 years
- Infrastructure Resiliency & Sustainability Grants: \$125 million over 5 years
- Connection to POTWs Grants: \$200 million over 5 years.
- Water Workforce Grants: \$25 million over 5 years
- Stormwater Infrastructure Technology: 5 centers of excellence and grants for planning and implementation
- And MUCH More...

8


House – The Water Quality Protection & Jobs Creation Act of 2021, H.R. 1915

- **Total Bill Cost: \$50 billion over 5 years**
- Clean Water SRF: \$40 billion over 5 years
 - Increases Green Project Reserve to 15% (currently 10%)
 - Increases favorable loan terms to 30% (i.e. more principle forgiveness and grants)
 - Allows 1% of CW SRF funding to be used for workforce development
- Sewer Overflow & Stormwater Reuse Municipal Grants: \$2 billion over 5 years
- State Management Assistance (Sect. 106) Grants: \$2.5 billion over 5 years
- Watershed Pilot Projects Grants: \$1 billion over 5 years
- Alternative Source Water Pilot Program: \$1 billion over 5 years
- PFAS & other emerging contaminants grants: \$1 billion over 5 years
- Indian Tribe Wastewater Grants: \$2.5 billion over 5 years

9



WEF Water Advocates Program



[BECOME A MEMBER](#)

[f](#) [t](#) [in](#) [yt](#) [ig](#)

ABOUT	MEMBERSHIP	PUBLICATIONS & RESOURCES	EVENTS	ADVOCACY	Search <input type="text"/>
<p style="font-size: 1.2em; margin: 0;">Get Recognized for Your Contributions to the Water Sector!</p> <p style="margin: 0;">SUBMIT A NOMINATION</p>				<ul style="list-style-type: none"> ABOUT ADVOCACY LEGISLATIVE AND REGULATORY AFFAIRS POLICY AND POSITION STATEMENTS THE VALUE OF WATER <li style="border: 2px solid red; border-radius: 50%; padding: 2px;">WATER ADVOCATES WATER WEEK GLOBAL PROGRAMS WATERS WORTH IT CANADIAN WATER AND WASTEWATER AS 	<p>LEARN MORE</p>

The Water Environment Federation is a nonprofit association that provides technical education and training for thousands of water quality professionals who clean water and return it safely to the environment. WEF members have proudly protected public health, served their local communities and supported clean water worldwide since 1928.

Joining the Program is easy:
<http://wef.org/advocacy/water-advocates2/>

Two current Calls-to-Action:

- [Inclusion of Water in the Infrastructure Package](#)
- [Funding for Water Infrastructure in FY 22 Appropriations](#)



Water Environment
Federation
the water quality people®

10

U.S. Environmental Protection Agency



Jamie Piziali

Municipal Ombudsman

Office of Congressional and
Intergovernmental Relations



11

Municipal Ombudsman


- **Independent, Impartial, and Confidential** resource to assist communities navigating the Clean Water Act.
- Work at **all levels** of the Agency to help ensure national consistency with agency policies.
- Provide information on:
 - Federal financial assistance opportunities
 - Technical assistance
 - Flexibility available under the Clean Water Act
 - Information on integrated planning

www.epa.gov/ocir/municipal-ombudsman






12

Municipal Ombudsman



www.epa.gov/ocir/municipal-ombudsman

Environmental Topics Laws & Regulations About EPA

Related Topics: [Congressional and Intergovernmental Relations](#) CONTACT US SHARE   

Municipal Ombudsman

The Municipal Ombudsman serves as a resource for communities seeking to comply with the **Clean Water Act** and works directly with Agency leadership and regional offices to ensure uniform application of agency policies to municipalities.

Consistent with the [Water Infrastructure Improvement Act](#), the Municipal Ombudsman will coordinate with the appropriate EPA offices to assist communities in navigating EPA resources. Specific resources include:


- [Federal assistance opportunities](#)
- Technical assistance
- Flexibility available under the Clean Water Act, and
- Information on [integrated planning](#) and example [municipal integrated plans](#).

Contact:
 Jamie Piziali, Municipal Ombudsman
 E-mail: Piziali.Jamie@epa.gov
 Phone: 202-564-1709

Contact:
Jamie Piziali
Piziali.Jamie@epa.gov
 202-564-1709

What's New?

- [Training and Technical Assistance for Wastewater Treatment Works for the Prevention, Reduction, and Elimination of Pollution Grants](#) applications due by **May 17, 2021**
- [Environmental Justice Small Grants Program](#) applications due by **June 1, 2021**
- [Environmental Justice Collaborative Problem-Solving Grants](#) applications due by **June 1, 2021**



13



14

Integrated Planning Technical Assistance

- Environmental Finance Centers at UMD/UNC providing technical assistance to:
 - **State** Permitting Authorities reviewing integrated plans
 - **Municipalities** developing an integrated plan

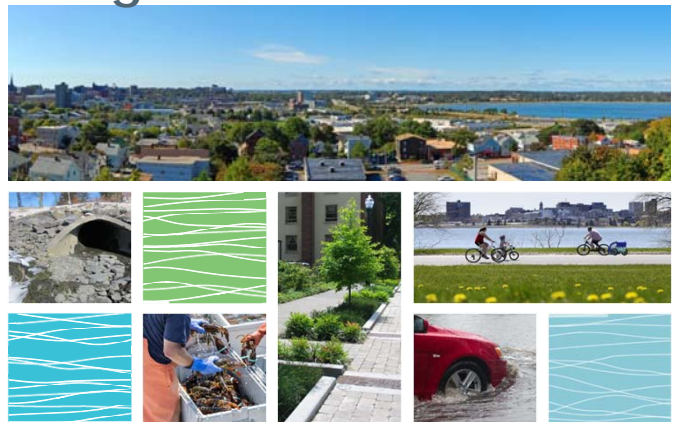
Available Until August 31, 2021

- To receive technical assistance contact:
 - Evan Kirk emkirk@sog.unc.edu
 - Ellen Kohler ejkohler@umd.edu
- Learn more: <https://efc.sog.unc.edu/project/integrated-planning-municipal-stormwater-and-wastewater>



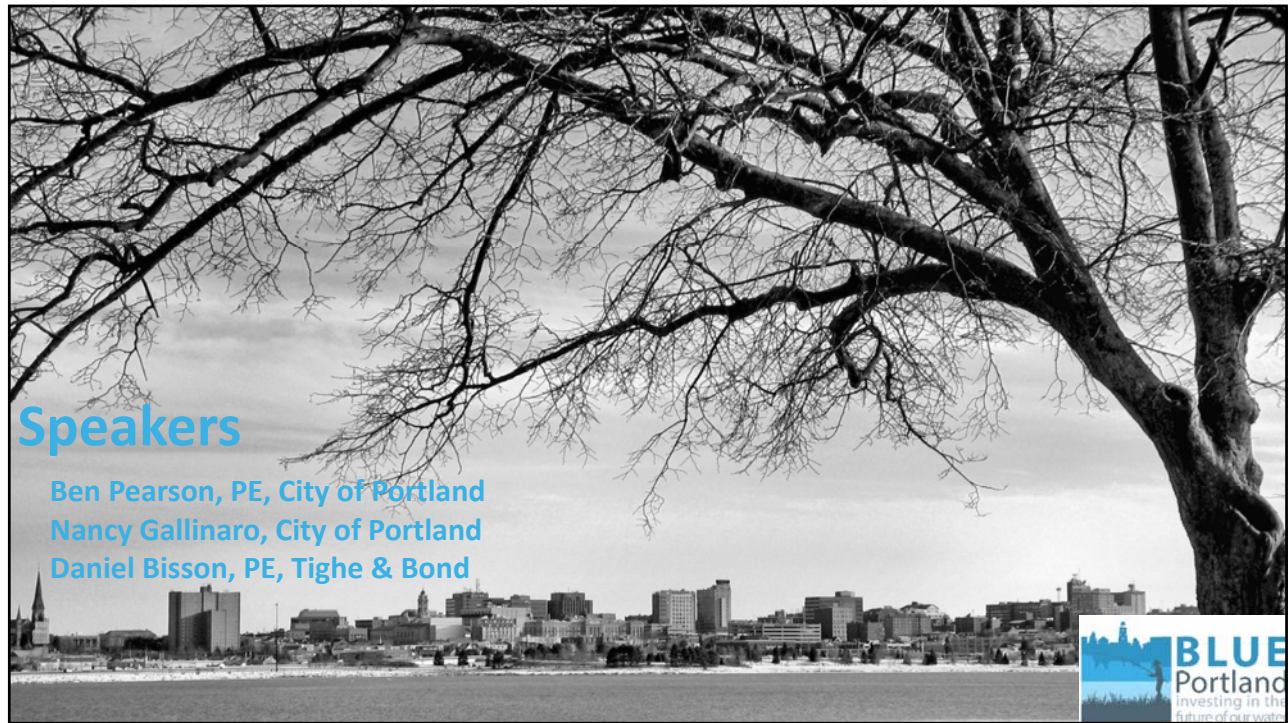
15

People, Process, and Performance: A Tailored Approach to Integrated Water Resources Planning in Portland



WEF/MA Government Affairs Webinar
NEWEA
May 19, 2021

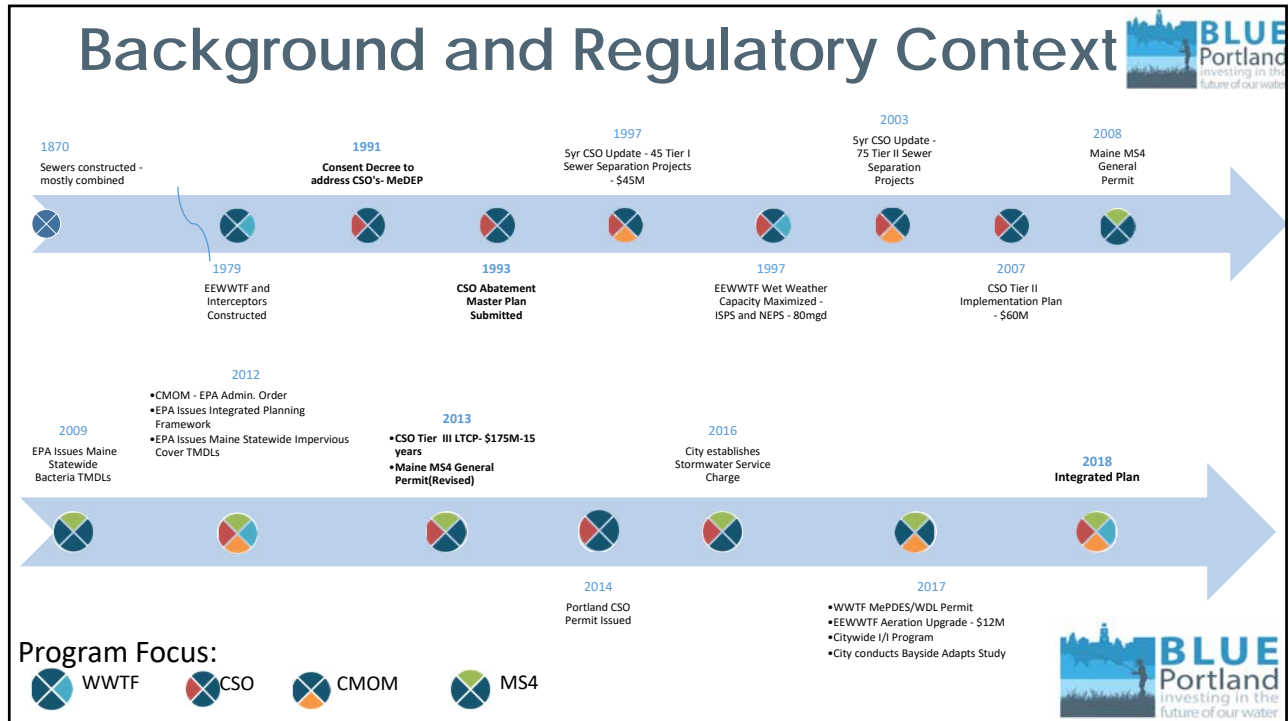
16



17



18



19



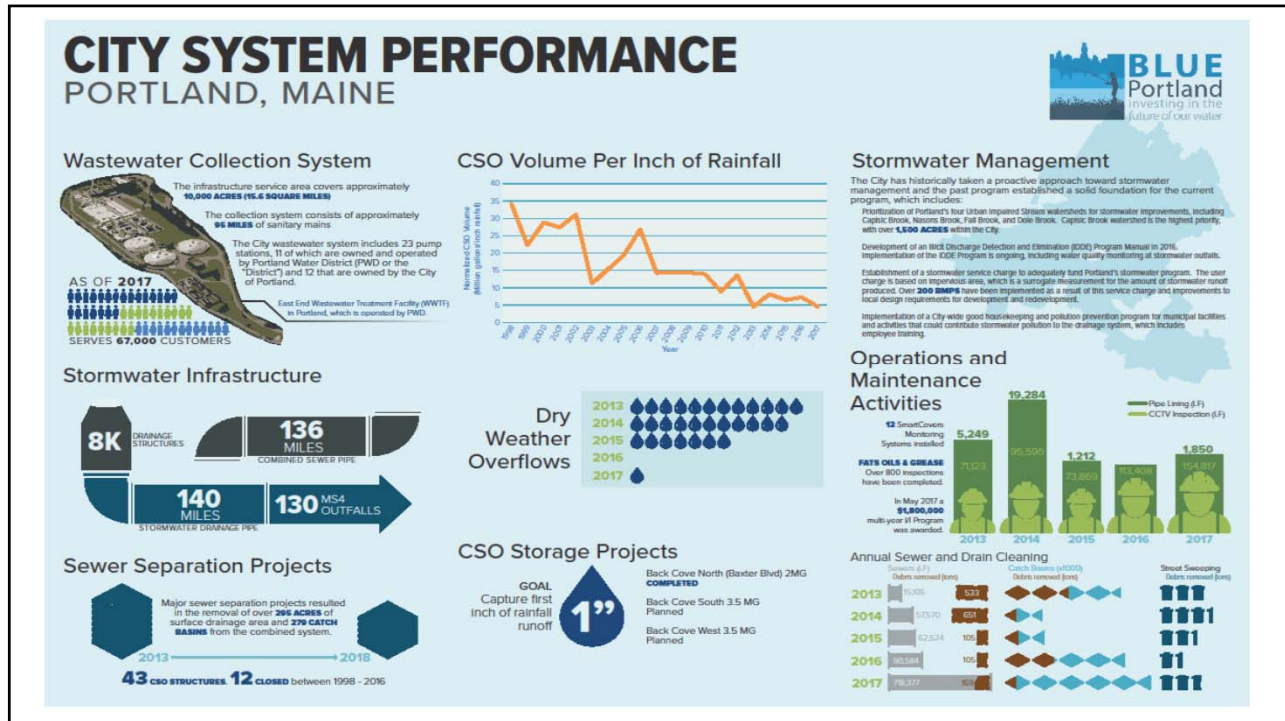
20



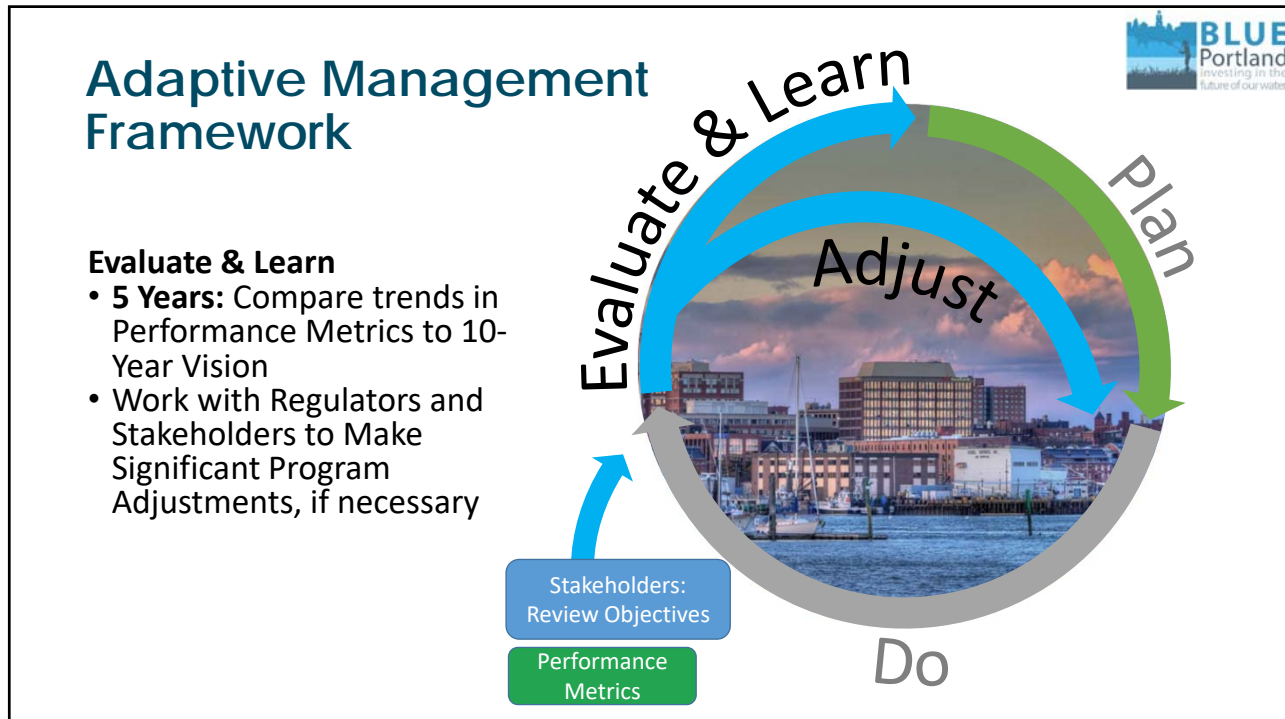
21



22



23



24

Performance Metrics: 10 Year Vision

- Set Measurable Goals and Milestones
 - Themes for the Performance Metrics
- Alignment with the 10 Objectives
- Work Performed and Results Achieved

Project Milestones: Completed or show progress toward prioritized projects.

Geographic Reach: Program benefits reach majority of citizens and all watersheds.

Water Quality: Receiving water quality trends show improvements.

CSO Reductions: Downward trend in rain-normalized CSO volume and activations through Integrated Plan Implementation.

Maintenance / System Performance: Reduction in CSOs and SSOs, reduction in material removed per L.F of sewer & drain structure.

Community Livability: Projects have improved quality of life in many neighborhoods. Equal access to green space and fewer water-related public health concerns.

Economic Health: Balanced approach to spending to keep sewer and stormwater rates within the affordable range. Demonstrate business case for strategies, actions, and capital projects.

25

Adaptive Management Creates Flexibility to Achieve All Objectives

- Shift away from only CSO projects to achieve multiple goals
- Ability to shift back to CSO-focused approach if needed
- Projections must be validated with monitoring data, which will direct the next phase of work

Phase	System Maintenance, Renewal, and Reinvestment	Non-Point Source Management	Green Infrastructure	Management/Policy	Study/Model	Waterfront Protection	CSO Storage/Treatment	Sewer Separation
Phase 1	46%	2%	3%	0%	0%	0%	33%	14%
Phase 2: Ahead of Target	35%	10%	10%	20%	15%	5%	5%	15%
Phase 2: On Target	45%	18%	10%	10%	2%	8%	10%	10%
Phase 2: Behind Target	45%	10%	5%	20%	0%	0%	20%	20%

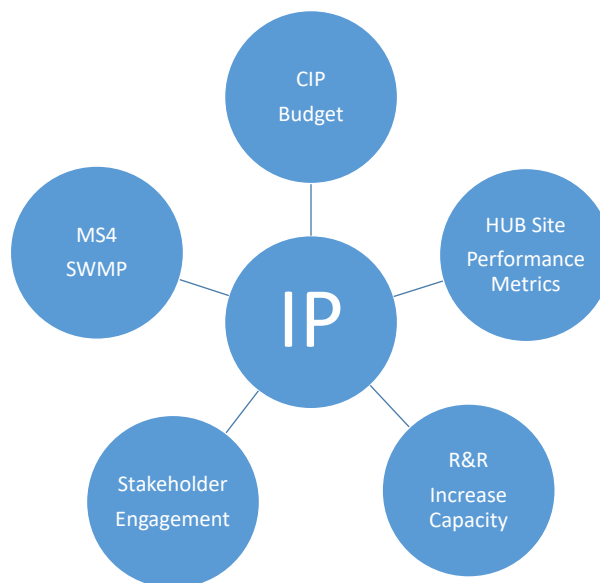
26

Integrated Plan – It Makes Sense!

- Discussions began with EPA Visit in 2014
- Mindset Change was needed
- Additional Mandates – CMOM – MS4 – Nutrients – CSO Reduction
- Adaptive Management - manage all competing interests
- Stakeholder involvement to build trust, inclusion and transparency
- Sustainable Framework - Positive message toward water quality
- Monitoring – Metering - Improving...informing next steps →
- Focus on operations, maintenance, rehabilitation and replacement - impacts the CSO, MS4 and WWTF

27

Integrated Plan in Action



28

Integrated Plans in New England

Exeter/Stratham/Newfields, NH
 Springfield, MA
 New Bedford, MA
 Fall River, MA
 Hartford, CT

Pending

- Burlington, VT
- Portland, ME



29



30

Integrated Planning in Iowa

WEF Member Association Government Affairs Webinar
May 19, 2021

Greg Sindt, P.E.
Bolton & Menk, Inc.
Iowa Water Environment Association
Government Affairs Committee Co-Chair
Gregory.Sindt@bolton-menk.com 515-290-0274



31

Integrated Planning Projects to Date

- Little interest by regulated parties in the concept
- Only two projects in progress
- Boone, Iowa 12,500 pop.
 - Extended UV disinfection compliance schedule
 - Higher priority placed on collection system improvements to reduce design flow for new UV system
- Britt, Iowa 3,000 pop.
 - Extended ammonia and nutrient reduction compliance schedule (5 years)
 - Higher priority placed on water supply improvements
 - 65 year old water plant and tower with no upgrades – high risk of failure
 - Iron and arsenic removal
 - New \$7 M RO treatment plant and elevated storage



32

Integrated Planning Projects to Date

- Burlington, Iowa 25,000 pop.
 - EPA grant for pilot Integrated Planning project
 - Wet weather CSO issues
 - Integrated Plan may be used as justification for CSO compliance schedule extension



33

Iowa DNR Approach to Integrated Planning

- Integrated Plan prepared by cities – DNR review for reasonableness
- DNR was very reasonable on Integrated Plan review
- DNR strongly supports Integrated Planning for Compliance Schedule extensions
- DNR education program to encourage more Integrated Planning
 - Emphasis on small cities with financial issues rather than only large cities with wet weather issues
 - DNR Field Office staff plan to communicate and promote Integrated Planning concept to cities



34

Addressing Integrated Planning/Flexibility Texas Perspective



Nathan E. Vassar

Lloyd Gosselink Rochelle & Townsend, P.C. – Austin, Texas
nvassar@lglawfirm.com; (512)322-5867



35

Incorporating Integrated Planning/Flexibility – Texas Perspective

-Separate Stormwater/Wastewater Systems and
Impacts to Negotiations

-Ultimate Goal of Integrated Planning vs. Existing
Regulatory Mandates

-Nexus with Affordability Guidance and long-term
planning



36

Overview of Recent Texas Consent Decrees

-Four Wastewater Consent Decrees since 2013:

- >San Antonio Water System
- >City of Tyler, Texas
- >City of Corpus Christi, Texas
- >City of Houston, Texas



-Integrated Planning concepts in settlements vs. earlier EPA templates/options available



37

Examples from Decree Language

108. The City may request modification based upon, among other things, an Integrated Plan developed in accordance with EPA's Integrated Municipal Stormwater and Wastewater Planning Approach Framework, issued on June 5, 2012 ("EPA Framework") and a current Financial Capability Assessment conducted in accordance with EPA's "Combined Sewer Overflows Guidance for Financial Capability Assessment and Schedule Development," EPA 8320B-97-004, February 1997, and EPA's Memorandum "Financial Capability Assessment Framework for Municipal Clean Water Act Requirements" issued on November 24, 2014 ("FCA Framework"). Should either the EPA Framework or the FCA Framework be modified after the Effective Date of this Consent Decree, the City's request for modification shall be based on the version of the EPA Framework and FCA Framework in effect on the day the request is submitted to the United States;

38

Going Beyond Enforcement – Permitting Options

- Limitations due to separate plumbing/separate systems
- Watershed management approaches
- Engagement with regulatory stakeholders



39

Linking Member Associations with Important Federal Policies and Local Trends



Name: Brady Dryer

Position: Compliance Manager,
Commonwealth Engineers, Inc.,
IWEA GAC Chair



40

Membership & Activities

- Membership – Municipal, Legal & Consultant Engineers
- Monthly Coordination Meetings (Virtual or Conf. Call)
- Quarterly meetings with the Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ)
- Indiana Water Environment Association (IWEA) Annual Conference:
 - 4-hour session
 - Inclusive of IDEM and WEF Updates

41

Agency coordination agenda (1 of 3)

- Indiana Finance Authority – State Revolving Loan Fund Update
 - Project Priority Lists & FY Loan Amounts
 - COVID-19 Wastewater Testing
 - Asset Management/Cybersecurity Implementation
- Federal NPDES Rule Implementation Update
- Compliance/Enforcement Updates
- Operator Certification Rule Work Group Update
- Construction/MS4 General Permit and Program Update

42

Agency coordination agenda (2 of 3)

- Water Quality Standards
 - Nutrient Status Update
 - Water Quality Criteria for Metals Status
 - Recreational Water Quality Criteria
 - 2021 Triennial Review
 - Per and Polyfluoroalkyl Substances (PFAS)
 - Drinking-Water MCLs
 - Surface WQSs

Agency coordination agenda (3 of 3)

- CSO Compliance
 - EPA R5 & National Trends
 - 2020 FCA Guidance
 - Integrated Planning
- Regulatory certainty/compliance assurance upon completion:
 - Federal Presumptive Approach – Requires UAA & Rule Change for Wet Weather Limited Use Subcategory
 - Nonrule Policy Document Compliance – Capture/Treat 10-year, 1-hour design storm (precludes the need for UAA)

Integrated Planning in Indiana

- 100+ CSO Communities
- Most complete or in the final stretch (+/- 10 years) of LTCP
- Concerns are mounting with additional water quality requirements.
- LTCP Amendments/Updates under review by IDEM
- Integrated Planning utilized as a tool

45

Integrated Planning in Indiana

- Several LTCPs have facets of Integrated Planning:
 - Integrated Overflow Control Plan (SSOs and CSOs)
 - Sewer system optimization
 - WWTP Improvements (i.e. phosphorus removal)
 - Green Infrastructure
 - Inclusion of Water, Storm & Other Utility Needs
 - May request Additional Time
 - Stay tuned for more info.....

46

Q&A and Discussion

