

Suzanne Goss was elected NACWA President for 2012 - 2013 on July 15. Goss is the Government Relations Specialist for JEA (Electric, Water & Sewer) in Jacksonville, Florida.



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A Clear Commitment to America's Waters

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## NACWA

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# NACWA Applauds Integrated Planning Framework, Testifies Before Congress on Implementation

The June 12 release of U.S. Environmental Protection Agency's (EPA) final framework for integrated municipal stormwater and wastewater planning was applauded by NACWA, but concerns remain over the extent to which the framework will provide meaningful relief for many of the Nation's struggling communities. The framework is intended to provide a foundation for new and continued discussions between clean water utilities and the government – whether state or federal – on how best to sequence their clean water investments.

The framework was developed by EPA in response to strong criticism from NACWA and other stakeholders that the Agency was simply asking communities to do too much. The final framework includes new and expanded discussions on adaptive management and financial capability that better describe EPA's intent and provide important, additional clarity for utilities as they begin to explore use of the framework.

### Implementation Viewed as Critical

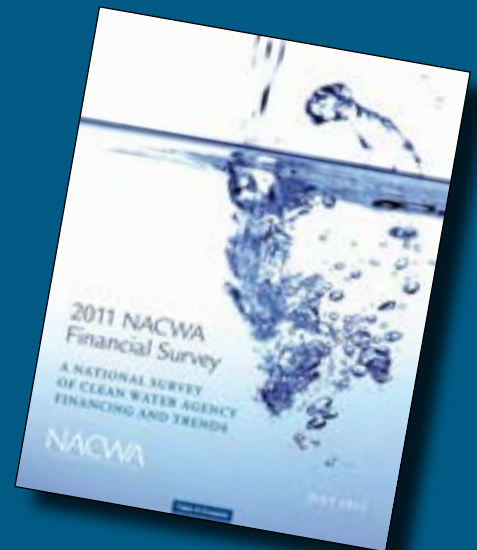
Work to ensure that EPA's framework succeeds, however, is just beginning. NACWA members are exploring use of the framework and the Association, in a June 20 letter, emphasized that implementation will need to be actively fostered by everyone involved. EPA has indicated that it plans to be an active participant in encouraging use of the framework. While EPA involvement is essential, NACWA believes that the Agency must also ensure it establishes and follows clear guidelines that give the lead role to authorized states.

Some public utilities have expressed concern that the complexity in managing the differences between the wastewater and stormwater permitting regimes may be stifling municipal efforts to explore integrated planning outside of an enforcement context. In response, the Agency plans to maintain ongoing communication with its regional offices and authorized states on implementation of the framework to help address potential roadblocks. The absence of

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## NACWA Releases 2011 Financial Survey

NACWA recently released the Association's *2011 Financial Survey (Survey)*. Since 1981, NACWA has conducted a triennial financial survey of its membership to provide clean water agencies, government officials, and the public, important insight into the financing and management of clean water utilities. In addition to the full *Survey* report that is now available electronically on NACWA's website →, NACWA also developed a hardcopy summary document that highlights the key findings and conclusions from the Survey. Together the full downloadable Survey report and the highlights document provide a complete picture of how clean water utility managers continue to balance providing wastewater collection and treatment services with responsibly managing their community's resources.



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## NACWA Busy in the Courtroom

Recent weeks have found NACWA active in legal advocacy as the Association participated in a series of lawsuits on nutrient and nonpoint source issues – and prepared to file briefs in two cases involving biosolids management. NACWA also plans engagement in an upcoming Clean Water Act (CWA) case before the U.S. Supreme Court on stormwater and water transfers issues.

### Nutrients Cases Take Center Stage

NACWA has continued its aggressive response to two federal nutrients lawsuits filed in March by the environmental activist community, one on secondary treatment requirements and the other on federal numeric nutrient criteria. The Association's engagement in both cases is focused on ensuring that the interests of the municipal clean water are protected.

NACWA has been in close communication with U.S. Environmental Protection Agency (EPA) regarding the secondary treatment litigation, *Natural Resources Defense Council (NRDC) v. EPA*. The conversations have been critical in ensuring the Association's position is considered as EPA plans a response. These efforts follow the granting of NACWA's late May intervention in *Gulf Restoration Network v. EPA*, a companion activist lawsuit seeking imposition of federal numeric nutrient criteria for all waters in the Mississippi River basin. Both cases are still in their early phases and anticipated litigation.

NACWA also filed its reply brief July 13 in federal litigation over the final nutrient total maximum daily load (TMDL) for the Chesapeake Bay – reiterating the Association's support for a holistic watershed approach to nutrient management including nonpoint sources. As an intervenor in the *American Farm Bureau v. EPA* litigation, NACWA is supporting EPA's legal authority to include load allocations upstream nonpoint agricultural discharges, as part of the final TMDL to reduce overall nutrient impairment in the Chesapeake Bay. The Association's recent reply brief highlights the importance of including all sources of nutrient impairment in the TMDL to achieve the most effective and equitable approach to water quality improvement, and rebuts many of the plaintiff's legal claims against inclusion of nonpoint sources. Briefing in the case is now complete, and NACWA expects a decision in the case in the coming months.

### Biosolids Litigation Moves Forward

NACWA is also active in two cases dealing with biosolids management. On July 24, the Association submitted its opening brief in *NACWA v. EPA*, a legal challenge to EPA's final sewage sludge incinerator (SSI) rule. In anticipation of EPA's finalization of the rule last year, NACWA formed a Sewage Sludge Incineration Advocacy Coalition (SSIAC) to support a lawsuit over the new regulation. NACWA's brief argues that EPA's legal and technical basis for the new SSI rule were flawed, and that the Agency promulgated the new

regulations under the incorrect section of the Clean Air Act. The brief does not dispute EPA's ability to regulate air emissions from SSI units, but instead argues the new rule sets overly stringent limits that fail to account for a cost/benefit analysis as intended by Congress, and that will likely lead to many utilities shutting down their SSI units at significant cost. Additional briefing in the case will occur throughout the rest of the year, and the court is expected to issue its decision in early 2013.

Biosolids land application will also be getting legal attention in the coming week, as NACWA files a [brief](#) in support of a number of Association members in Southern California challenging a discriminatory local land application ban enacted by Kern County, Calif. The case was previously litigated in federal court, but after being dismissed on a technicality was refilled in state court. NACWA's utility members were successful in obtaining an injunction against the ban, and are now seeking to defend the injunction on appeal. The Association's brief, to be filed in early August, will provide the national clean water perspective on the importance of preserving land application as a viable biosolids management option, and outline the significant harm that could occur to the national biosolids management system if inequitable local bans such as Kern County's are allowed to stand.

### NACWA to Weigh In With Supreme Court on CWA Case

Finally, in a surprising turn of events, the U.S. Supreme Court announced at the end of June that it would review two CWA cases related to stormwater when the Court's next term begins in October 2012. One of the cases, *Los Angeles County Flood Control District v. NRDC*, looks at the question of what qualifies as a discharge from a stormwater system under the CWA. It also has the potential to address the water transfers issue and whether the transfer of water

from one section of a waterbody through a manmade channel to another section of the same waterbody falls under CWA permitting requirements. This case has potential implications for MS4s and other clean water utilities, both in terms of what qualifies as a discharge as well as for those that may transfer water from one section of a waterbody to another as part of their water management efforts. Given these potential impacts, NACWA will be joining a brief in the case on behalf of the municipal clean water community, urging the High Court to affirm its previous decisions that such transfers of water do not require a CWA discharge permit. Briefing is expected to occur in early August.

Additional information on all of NACWA's litigation activities can be found on the [Litigation Tracking page](#) of the Association website. 📌



## Suzanne Goss Elected NACWA President for 2012 - 2013

Suzanne Goss was elected NACWA President for 2012-2013 by the Association's Board of Directors on July 15. Goss is the government relations specialist for JEA (Electric, Water & Sewer) in Florida and has had a distinguished career within the clean water community. Also elected were the following NACWA officers: Vice President, Julius Ciaccia, executive director, Northeast Ohio Regional Sewer

Portland Bureau of Environmental Services, Ore. (Region 10). NACWA congratulates its new and re-elected Board Members and extends its thanks and appreciation to Dick Champion, director of the Independence Water Pollution Control Department in Missouri for his service on the NACWA Board representing Region 7.



NACWA's Officers for 2012-2013 were elected during the 2012 Summer Conference & 42nd Annual Meeting. Pictured left to right, NACWA President, Suzanne Goss; NACWA Vice President, Julius Ciaccia; NACWA Treasurer, Karen Pallansch; and, NACWA Secretary, Adel Hagekhalil.

District, Ohio; Treasurer, Karen Pallansch, chief executive officer of the Alexandria Renew Enterprises, Va.; and, Secretary, Adel Hagekhalil, assistant director bureau of sanitation for the City of Los Angeles, Calif. The Association expresses its sincere appreciation to outgoing President, David Williams, director of wastewater for the East Bay Municipal Utility District in California for his dedicated service as NACWA President over this past year.

### NACWA Welcomes New Board Members

During the Annual Association Business Meeting, NACWA's membership elected Patrick Ball, utilities director for the City of Cedar Rapids, Utilities Department in Iowa as new member of its Board of Directors representing Region 7. Cathy Gerali, district manager for the Metro Wastewater Reclamation District in Colorado was appointed by the Board to complete Steve Pearlman's term as a representative from Region 8. (See related article page 7).

The following board members were elected to new terms: Samuel McGhee, executive director for the Joint Meeting of Essex & Union Counties, N.J. (Region 2); Kevin Shafer, executive director for Milwaukee Metropolitan Sewerage District, Wis. (Region 5); Ricky Clifton, general manager of the Gulf Coast Waste Disposal Authority, Texas (Region 6); Dennis Stowe, manager, Littleton/Englewood Wastewater Treatment Plant, Colo. (Region 8); Philip Friess, department head, Technical Services, Sanitation Districts of Los Angeles County, Calif. (Region 9); and, Dean Marriott, director of the City of

In other action, NACWA's Board of Directors voted to approve the fiscal year (FY) 2013 Association Business Plan which sets out the goals, objectives, strategies and actions for the upcoming fiscal year starting October 1, 2013. The Board also approved the FY 2013 General Fund budget, and the Targeted Action Fund (TAF) budgets. 📌



NACWA's newly elected and appointed Board Members include (left to right): Patrick Ball, utilities director for the City of Cedar Rapids, Utilities Department in Iowa who will represent Region 7 and Region 8 Board Member, Cathy Gerali, district manager for the Metro Wastewater Reclamation District in Colo.



## NACWA Launches Online Tools

For the past several months, NACWA has been working to expand its use of powerful online networking and collaboration tools. The centerpiece of this effort is [NACWA Engage™](#), a customized online collaborative tool for the clean water community. By using [Engage™](#) and other social media sites, NACWA is starting new conversations and forging new connections.

The [Engage™](#) network helps clean water utilities and professionals from around the country better collaborate on key issues. A key feature of [Engage™](#) that promotes this collaboration is the targeted discussion groups that focus on specific areas of NACWA's advocacy agenda. Currently available groups are focused on affordability, financing, and funding; stormwater; biosolids; pretreatment; nutrients; and combined and sanitary sewer overflows.

Additional groups will be added over the next several months as NACWA continues to roll out this new tool. New groups will include those focused on water quality and utility management, and the utility of the future. Regional groups dedicated to the various U.S. regions will focus on issues specific to those areas country also will be added.

Also recently launched, NACWA's blog, [The Water Voice™](#), which is dedicated to an analysis of policy issues affecting the clean water community. The blog covers all facets of water quality protection from nutrients and total maximum daily loads (TMDLs) to stormwater,

pretreatment, and combined and sanitary sewer overflows, and more. Authors provide expertise from legal, regulatory, and legislative perspectives and will include members of NACWA staff and from the clean water community. The blog also includes perspective pieces from member agencies who will discuss emerging issues and how their organization has been affected.

Finally, Twitter and Facebook provide a great way for members to stay in touch with NACWA and learn about the Association's activities at this meeting and throughout the year. To find NACWA on Twitter, search for [@NACWA](#) and "Follow" us. For Facebook, go to [www.facebook.com/nacwaorg](#) and "Like" NACWA.

To access Engage, users can go to [www.nacwaengage.org/welcome](#). Users can also access the [Getting Started](#) guide for quick tips.



## NACWA Financial Survey

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### Survey Indicates Sustained Increases in Costs, Capital Spending and Long-Term Debt Levels

The *2011 Survey* shows that clean water utilities are facing sustained increases in capital expenditures and operations and maintenance costs. Some of the additional costs are due to new regulatory requirements and the controls required to comply with existing Clean Water Act mandates, including sanitary and combined sewer overflow requirements. Other increasing costs, such as those for energy and chemicals, are dictated by external factors often beyond the control of the utility.

With higher costs and greater capital expenditures comes the need for additional revenue. The *Survey* shows that rates and charges for residential and industrial customers have increased at more than three times the overall rate of inflation from 2007 to 2010. In both NACWA's 2005 and 2008 survey reports, it was noted that the rapid increase in long-term debt, coupled with increasing capital needs could impact the ability of utilities to meet future funding needs through debt financing mechanisms. The *2011 Survey* data show that long-term debt is up 24 percent between 2007 and 2010 and up nearly 75 percent between 2001 and

2010. Debt service payments comprise, on average, 26 percent of total expenditures for agencies responding to the *Survey*.

Despite these trends, the *Survey* also suggests that clean water utilities are continuing efforts to improve efficiency and sustainability through energy recovery initiatives, implementation of asset management programs, and implementation of utility management/excellence programs. Service levels also continue to steadily improve with increasing levels of treatment and high removal efficiencies for key pollutants.

### Sound Financial Position of Clean Water Community Faces Ongoing Challenges

Overall, clean water agencies continue to demonstrate a strong financial position, but the increasing reliance on long-term debt to finance assets and the large portion of utility budgets dedicated to servicing that debt, have and will continue to present challenges for communities nationwide. Many communities continue to struggle due to the impacts of the faltering economy coupled with increasingly costly Clean Water Act regulatory requirements. It will be important to continue to track the trends detailed in the *2011 Survey* closely in the future.

## Integrated Planning

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the resources necessary to explore integrated planning, both at the local and state level, has also been raised as a concern.

Tough questions remain including whether large, regional wastewater authorities without control over stormwater or much of their collection systems, will be able to take advantage of the framework. Communities with existing consent decrees are also anxious to learn if and how they might be able to utilize some of the Agency's new, more flexible thinking.

### Congressional Hearing Held

The House Subcommittee on Water Resources & Environment held a hearing on July 25, to explore the benefits of, and potential obstacles to, implementing EPA's recently finalized integrated planning framework. George Hawkins, general manager of DC Water and a NACWA Board Member and Chair of the Association's Money Matters Task Force, [testified](#) on behalf of the Association. In his testimony, Hawkins discussed the problems posed by EPA's expensive and numerous mandates on DC Water's ability to address their most urgent infrastructure needs. Hawkins applauded EPA's integrated planning framework as a



NACWA Board Member George Hawkins (in white) testified on behalf of the Association and Carter Strickland (left of Hawkins), NACWA Board Member and Commissioner for New York City Department of Environmental Protection.

step in the right direction, but pointed out that some communities lack the resources to even get to the negotiating table. NACWA proposed that Congress provide funding for pilot communities to develop integrated plans pursuant to EPA's framework and urged Congress to extend permit terms to 25 years where this would help communities sequence their Clean Water Act projects more effectively. Carter Strickland Jr., Commissioner of the New York City Department of Environmental Protection and a NACWA Board Member also testified, focusing on New York City's growing Clean Water Act affordability challenges. 📌

## NACWA Welcomes New Members

**N**ACWA continues to strengthen its influence as the leading advocate on behalf of the clean water community through a robust and active membership. As membership grows, so does the Association's ability to shape national policy. The Association is proud to welcome one re-joining Member Agency, one new Corporate Affiliate and one new Supporting Affiliate.

### Public Agency

#### Mount Pleasant Waterworks, S.C.

*Represented by Clay Duffie, General Manager*

NACWA welcomes back the Mount Pleasant Waterworks outside of Charleston, S.C. Mount Pleasant Waterworks is a water and wastewater system that serves a population of 45,000. Their Rifle Range Road Wastewater Treatment Plant and Center Street Wastewater Treatment Plant are both *Peak Performance* award-winning facilities.

### Corporate Affiliate

#### Wetlands Studies and Solutions, Inc., Va.

*Represented by Michael S. Roland, President*

Wetlands Studies and Solutions, Inc. is the leading natural and cultural resources consultant in Northern Virginia. Wetland scientists, engineers, regulatory/compliance/survey/GIS specialists, and archeologists assist developers and public works agencies with the permitting process and create innovative solutions to water quality issues affecting the Chesapeake Bay region.

All NACWA members are encouraged to make the most of their membership through participation in the Association's active committees, engagement in its awards programs, and attending conferences, workshops, and web seminars. Another great benefit of NACWA membership is that it's organizational — allowing all staff at your organization to take advantage of the resources and information the Association offers. If there are additional key members of your staff who you feel would benefit from receiving NACWA correspondence, or participating on NACWA committees, please contact Kelly Brocato, Director of Membership Development at [kbrocato@nacwa.org](mailto:kbrocato@nacwa.org). 📌

### Supporting Affiliate

#### The Freshwater Trust, Ore.

*Represented by David Primozych, Senior Ecosystem Services Director*

The Freshwater Trust is an action-oriented not-for-profit that restores rivers and streams throughout Oregon. They use cooperative, market-based solutions that benefit rivers, working lands and local communities — from working with landowners to keep more water in our streams to streamlining restoring processes to achieve greater pace and scale to improving aquatic habitat using a localized approach.

# NACWA

A Clear Commitment to America's Waters

# Web Seminars to Aid Utility Communications, Advocacy, Long Term Relationships with Public

**B**uilding long-term utility relationships is the paramount goal of customer-centric organizations like utilities. These days, the most powerful methods of building relationships and impacting customer education and engagement are personal interaction, word of mouth, and testimonials. Social media offers unique opportunities and substantial value to utilities with their diverse stakeholders.

NACWA will soon convene six exceptional high-value seminars provided by Summer Conference keynote speaker and author of *Return on Impact*, David Nour and his colleague and social media expert KiKi L'Italien. Issues and media covered in the web seminars include:

- **Blogging, Content Curation and Online Presence Best Practices – September 12, 2012**  
Learn how to best integrate blogging into your daily interactions, engage your ratepayers, and increase your utilities' visibility and credibility.
- **Why You Should Get Proactive on Twitter Now! – October 10, 2012**  
Join us for a look inside Twitter for Business and some best practices to help you listen louder.



- **Are You Really LinkedIn? – November 7, 2012**  
Join your colleagues on focusing on the practical and pragmatic use of LinkedIn.
- **Leveraging Facebook for Utilities – December 12, 2012**  
Understand and leverage Facebook's strongest assets in building online relationships and how creating traffic results in social market leadership.
- **YouTube and the Power of Video – January 9, 2013**  
Join us as we discuss how to best integrate internet video into your daily business, engage your customers, and increase your market awareness.
- **Emerging Social Applications – Foursquare, Pinterest, and Storify – February 13, 2013**  
You'll want to "check in" for our discussion on real world examples of organizations putting the apps to the test, and challenge you to think differently than you have before about the way you communicate.

All Seminars will take place from 2:00 - 3:00 PM Eastern. Visit NACWA's [website](#) for more details on these invaluable Seminars. 📌



Tony Parrott, NACWA Board Member and director, Metropolitan Sewer District of Greater Cincinnati, shared critical perspectives on Transforming Wet Weather Challenges into Community Opportunities during the Association's recent Summer Conference in Philadelphia. Parrott was part of a panel presentation showcasing innovation in utility management.



## NACWA Celebrates Excellence in Utility Management

Twelve NACWA Member Agencies were honored on July 16 with recognition for excellence in management. The Association's *Excellence in Management Recognition Program* provides important acknowledgment to Member Agencies that are implementing sustainable, successful programs that exemplify the attributes of an effectively managed utility. To receive recognition, agencies implemented initiatives reflecting both the *Ten Attributes of Effectively Managed Water Sector Utilities* and key re-

source efficiency and protection activities. The program incorporates *Platinum, Gold, and Silver* levels recognition

NACWA celebrated the following agencies with 2012 *Excellence in Management Recognition* at an *Awards Ceremony & Reception* at the Association's 42nd Annual Meeting & Summer Conference in Philadelphia, Pa.



*Western Virginia Water Authority, Va. was presented with a 2012 Platinum Excellence in Management Recognition honor at a ceremony on July 16. Presenting the certificate are (Left to Right): Ken Kirk, Executive Director for NACWA; Mike McEvoy, Executive Director of Wastewater Services for Western Virginia Water Authority; NACWA President, Suzanne Goss, Government Relations Specialist for JEA (Electric, Water & Sewer), Fla.; and NACWA Awards Chair, Philip Friess, Department Head, Technical Services, Sanitation Districts of Los Angeles County, Calif.*

### Platinum Honors

- Alexandria Renew Enterprises, VA
- City of Tacoma, WA
- Spartanburg Water System & Sanitary Sewer District, SC
- Milwaukee Metropolitan Sewerage District, WI
- Western Virginia Water Authority, VA

### Gold Honors

- Charleston Water System, SC
- City of Aurora Water Department, CO
- Columbus Water Works, GA
- Metropolitan Council Environmental Services, MN
- Metropolitan St. Louis Sewer District, MO

### Silver Honors

- Bergen County Utilities Authority, NJ
- Fairfax County Wastewater Management Program, VA

## NACWA Mourns the Passing, Celebrates the Life, of Steve Pearlman

*NACWA mourns the passing and celebrates the life of former NACWA Board Member and valued colleague and friend, Steve Pearlman. Steve spent over 40 years contributing to the programs and priorities of the Metro Wastewater Reclamation District in Denver, Colo. He was first elected to NACWA's Board of Directors in 2002, and was a respected leader within NACWA – and across the country. Within NACWA, Steve was at home among the leaders of America's clean water utilities – advocating for responsible national policies that advance clean water and protect the environment. Steve served actively on NACWA's Strategic Planning, Finance, and Membership committees while serving on the Board.*

*Concurrent with his Board Service, Steve served as Chair of NACWA's Regulatory Policy Committee from 2008 – 2012. Under his leadership, the*

*Committee developed and oversaw the Association's strategy on the breadth of regulatory issues affecting utilities across the country, like Denver Metro. Additionally, he was an active member of the Association's Legislative Policy, Water Quality, Communication & Public Relations, and Pretreatment & Pollution Prevention committees.*

*When it came time to appoint a NACWA representative to the Water for People Board of Directors, Steve was the clear choice of the Association's Board. He served in this capacity from 2008 – 2010. Steve exemplified all of Water for People's Guiding Principles, but especially personified the first Principle: "We believe in people. We respect the dignity of all people." Steve's leadership, knowledge, critical thinking, quick wit, and compassion will clearly be missed.*