

FY 2014 TARGETED ACTION AGENDA

NACWA's active and aggressive legislative, regulatory and legal advocacy agenda will require a robust FY 2014 Targeted Action Fund (TAF). The following outlines the key issues that will be the focus of the Association's advocacy efforts in FY 2014, and the significant work the TAF will support.

Nutrients/Water Quality

Active advocacy and engagement in:

- The national debate over the development of numeric nutrient criteria and the use of existing narrative criteria, through translation, to develop permit limits;
- Litigation and other efforts with regard to water quality trading issues, including strong defense of trading and market-based approaches to achieve water quality goals;
- Litigation related to nutrient regulation and/or secondary treatment issues, as well as other litigation that may arise related to nutrient concerns;
- Targeted efforts to better address nonpoint contributions of nutrients from the agriculture sector, including developing state-based factsheets, a white paper exploring viable policy solutions, and potential legal advocacy initiatives;
- Establishing stakeholder support for strengthening the links between agricultural policy and nutrient reduction through amendments to the Farm Bill that target conservation investments toward agricultural nutrient management and require farmers to reduce nutrient run-off as a condition for receiving federal assistance, and through other legislative vehicles;
- Working with stakeholders to explore new and more collaborative approaches to addressing nutrient impairments and proactively engaging EPA on meaningful change to its current nutrient criteria policies and implementation practices.

Wet Weather Management and Enforcement

Active advocacy and engagement in:

- Pursuit of reasonable regulatory and legislative approaches for the management of sanitary sewer overflows, peak flow blending, remote treatment of peak excess flows, and satellite collection systems;
- A robust comment effort on EPA's proposed national, post-construction stormwater rule, to ensure the municipal clean water community perspective is represented;
- Litigation on wet weather management and enforcement issues necessary to advance the priorities of the clean water community;
- Regulatory, legislative and legal efforts related to innovative, affordable stormwater management approaches;
- The exploration of potential opportunities with EPA and state water regulators to encourage the development of wet weather water quality standards.

Integrated Planning, Affordability and Regulatory Prioritization

Active advocacy and engagement in:

- Ongoing Member Agency efforts to explore use of EPA's *Integrated Planning Framework* through dialogue with state regulators, EPA regional offices and EPA Headquarters;
- Legislative efforts to seek support for funding of integrated planning pilots;
- The development of legislative revisions to the Clean Water Act (CWA) addressing affordability and integrated planning issues;

- A complete update of NACWA's *Consent Decree Handbook*, last updated in 2009, to reflect opportunities presented via EPA's *Integrated Planning Framework* and developments in recently negotiated decrees, including consent decree reopeners/modifications and more flexible affordability considerations;
- Modification of existing, or develop new, materials as needed to advance the objectives of the *Money Matters... Smarter Investment to Advance Clean Water™* campaign;
- Legislative and EPA-targeted efforts seeking changes to the Agency's methodology for determining financial capability of clean water utilities.

Financing and Funding

Active advocacy and engagement in:

- EPA Environmental Finance Advisory Board and related efforts to study water utility rate structures to address declining revenues;
- Legislative and regulatory efforts to ensure that a strong federal commitment to help communities finance obligations under the Clean Water Act continues through robust annual discretionary appropriations for the State Revolving Fund (SRF) Program, exploration of a long-term sustainable funding mechanism for the SRF, and maintaining tax-exempt status for investments in municipal bonds.

Sustainability and the Water Resources Utility of the Future (UOTF)

Active advocacy and engagement in:

- The creation of compelling documents that make the case for federal support of *Water Resources Utility of the Future* initiatives, building on the 40th anniversary of the Clean Water Act and beyond;
- Expanding the membership of, and proactively engaging, the Congressional Clean Water Technology & Innovation Caucus to spotlight and support new technological and innovative approaches to utility management and efforts under the Water Resources Utility of the Future umbrella;
- Dialogues with agency leaders (including at EPA and the Departments of Energy and Interior) and other key groups regarding the implementation of *Water Resources Utility of the Future* policies and development of federal support;
- Legislation to enable biogas and solids generated by the wastewater treatment process the ability to qualify for a national clean electricity standard;
- Pursuit of tax incentives to support resource recovery projects at clean water agencies, including energy recovery, water recycling, and other minerals or nutrient recovery;
- The development of an analysis of the costs involved in adapting and mitigating the impacts of climate change, including costs related to building resilient systems and emergency response to natural disasters;
- Litigation and coalition work to secure an exemption from federal Clean Air Act regulation for biogenic emissions from wastewater treatment processes;
- Crafting and implementing a regulatory agenda that positions and supports enhanced innovation across the water sector and that promotes Member Agencies as transformational leaders shaping the water resources utility of the future;
- Clean Air Act requirements for greenhouse gas and other emissions to ensure that they do not create an unnecessary burden on clean water agencies and do not interfere with Clean Water Act requirements or resource recovery efforts;

- Working with stakeholders on new and innovative methods of pollution prevention and protection of collection systems and treatment works from consumer products and other materials outside the jurisdiction of pretreatment programs;
- Legal matters surrounding biosolids management regulations, including issues impacting sewage sludge incinerators (SSIs) and land application, with litigation participation, as appropriate, to ensure utility flexibility in selecting most sustainable approach to biosolids management;
- The development of an analysis of costs and benefits of federal investment in resource recovery technology at municipal wastewater utilities.