

NACWA State and Regional Association Conference Call

March 25, 2015
2:00 pm – 3:00 pm EST
1-877-394-0659; Conf. ID 8153732026

MINUTES

I. Attendees

- | | |
|---|--|
| <ul style="list-style-type: none">- California Association of Sanitation Agencies (CASA)
Adam Link- California Stormwater Quality Association
Geoff Brosseau- Capital Region Water
Dave Stewart, Shannon Williams- Colorado Stormwater Council (CSC)
Jill Piatt-Kemper- Colorado Wastewater Utility Council
Nancy Keller, Martha Hahn, Julie- Florida Stormwater Association
Chris Pettit- Georgia Association of Water Professionals (GAWP)
Mark Wyzalek- Maryland, Virginia Association of Municipal Wastewater Agencies (MAMWA, VAMWA)
Chris Pomeroy- Missouri Public Utility Alliance | <ul style="list-style-type: none">Phil Walsack- New England WEA (NEWEA)
Peter Grose- Oregon Association of Clean Water Agencies (ACWA)
Janet Gillaspie- South Carolina Water Quality Assoc.
Andy Fairey- Southern California Alliance of Publicly Owned Treatment Works (SCAP)
John Pastore- Western Coalition of Arid States
Kelly Collins <p>NACWA Staff</p> <p>Nathan Gardner-Andrews
Chris Hornback
Brenna Mannion
Patricia Sinicropi
Amanda Waters</p> |
|---|--|

Key National Issues

A. Integrated Planning Pilots & Budget Update

The Administration included \$13 million in its FY16 Budget Request for the EPA to help communities develop integrated plans and, if appropriated in its final budget, would be distributed as both technical assistance and competitive grants. Last year, EPA awarded technical assistance to five communities to help them develop these plans. These communities were Durham NH, Burlington VT, Onondaga County NY, Springfield MO, and the City of Santa Maria CA.

NACWA is urging congress to reject the Administration's request for the CWSRF and to maintain funding for the CWSRF at \$1.449B.

B. Recent Clean Water Legislation

i. Water Infrastructure Resiliency & Sustainability Act

Sen. Ben Cardin (D-MD), along with Sens. Harry Reid (D-NV) and Barbara Boxer (D-CA) re-introduced the [Water Infrastructure Resiliency & Sustainability Act](#). The legislation would help drinking water, wastewater, and stormwater utilities prepare for the impacts of climate-related risks. A House companion measure was introduced earlier this month by Rep. Lois Capps (D-CA). NACWA, along with several water sector associations, helped develop the legislation and together sent a [letter](#) in support.

ii. CWAA including NACWA wet weather package introduced

Rep. Bob Latta and Rep. Tim Walz introduced the [Clean Water Affordability Act of 2015](#) to codify integrated planning, require the Administrator of the Environmental Protection Agency (EPA) to update guidance used to determine the financial capability of communities to implement clean water infrastructure programs, strengthen tools for managing wet weather under the Clean Water Act and for other purposes.

C. Regulatory Outlook 2015, Meeting with OMB

The U.S. Environmental Protection Agency (EPA) is [requesting public input](#) on the Agency's periodic retrospective review of its regulations under Executive Order (E.O.) [13563](#) and [E.O. 13610](#). The focus of this new request for input is on how the Agency can promote regulatory modernization through process streamlining and improved technology. This is the last opportunity for you to submit comments to get relevant regs on the list for EPA consideration – comments due April 8.

D. Ohio Supreme Court TMDL Decision, AOMWA

The Ohio Supreme Court issued a [ruling](#) on March 24 in the *Fairfield County v. State of Ohio* case, vacating the phosphorus limits in an NPDES permit. The limits were vacated because they were derived from an underlying TMDL that should have been promulgated as a rule pursuant to the state Administrative Procedures Act (APA). The court's ruling echoes arguments made by NACWA and the Association of Ohio Metropolitan Wastewater Associations (AOMWA) in a joint brief filed in the case. Depending how the ruling is implemented could impact how permit limits are derived from TMDLs nationwide.

II. Priorities in the Southwest, Kelly Collins, Vice President, Western Coalition of Arid States (WestCAS)

WestCAS originated 20 years ago to highlight the inherent difference in western states' approach to water quality standards. Now with 150 water and wastewater provider members, the main focus of their legislative and regulatory advocacy has been in response to the Waters of the US (WOTUS), water supply transfer implications of the Lacey Act, and the US Forest Service' groundwater Directive. WestCAS believes WOTUS must include exemptions for aquifer recharge, roadside ditches as tributaries, and maintenance of irrigation districts (404d projects). Recently WestCAS supported a bill that would require 45 day public notification of a change in the Endangered Species list by the Fish and Wildlife Service.

III. Water Week 2015

April 12 – 18, Washington, DC <www.waterweek.us>

CALL TO ACTION:

We ask that state and regional clean water groups support full funding for the Clean Water SRF, WIFIA, and to appropriate the \$13M requested for Integrated Planning letter by signing on to this [Support Letter](#)! Please return to Brenna by April 9, as we will be using it during Water Week to illustrate the broad national support for clean water funding!

IV. Other Issues

- A. NACWA will be convening State & Regional Orgs with a stormwater focus to join a separate set of recurring calls, and receive a stormwater-focused advocacy newsletter to better coordinate across issues specifically affecting large and small MS4s.
- B. Please let Brenna know if you would like NACWA to speak at your state/regional meeting.
- C. Call for NACWA Guest [Bloggers](#)!
- D. CASA's DC fly-in in March: conflict of interest issue on how their State Water Resources Control Board members are selected – no w/ww utility background.
- E. VAMSA/MAMSA: appreciation for NACWA legal assistance in recent litigation
- F. SCAP: EPA [withdrew approval](#) of alternative test procedures on whole effluent toxicity testing, positive outcome.
- G. NACWA's [Consent Decree Workshop](#) will be held in Philadelphia April 29-30. Building on the tremendous success of last year's inaugural Workshop, this year's program will offer intensive sessions guaranteed to be invaluable for any lawyer, manager or engineer dealing with a wet weather consent decree.