



WEF Government Affairs Update

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Presentation Overview

EPA Update

- Recent & Pending Regulatory Issues
- Expected Regulatory Issues

Congressional Update

- 2018 Accomplishments
- 2019 Congressional Agenda
- Water Priorities and Opportunities
- National Water Policy Fly-In

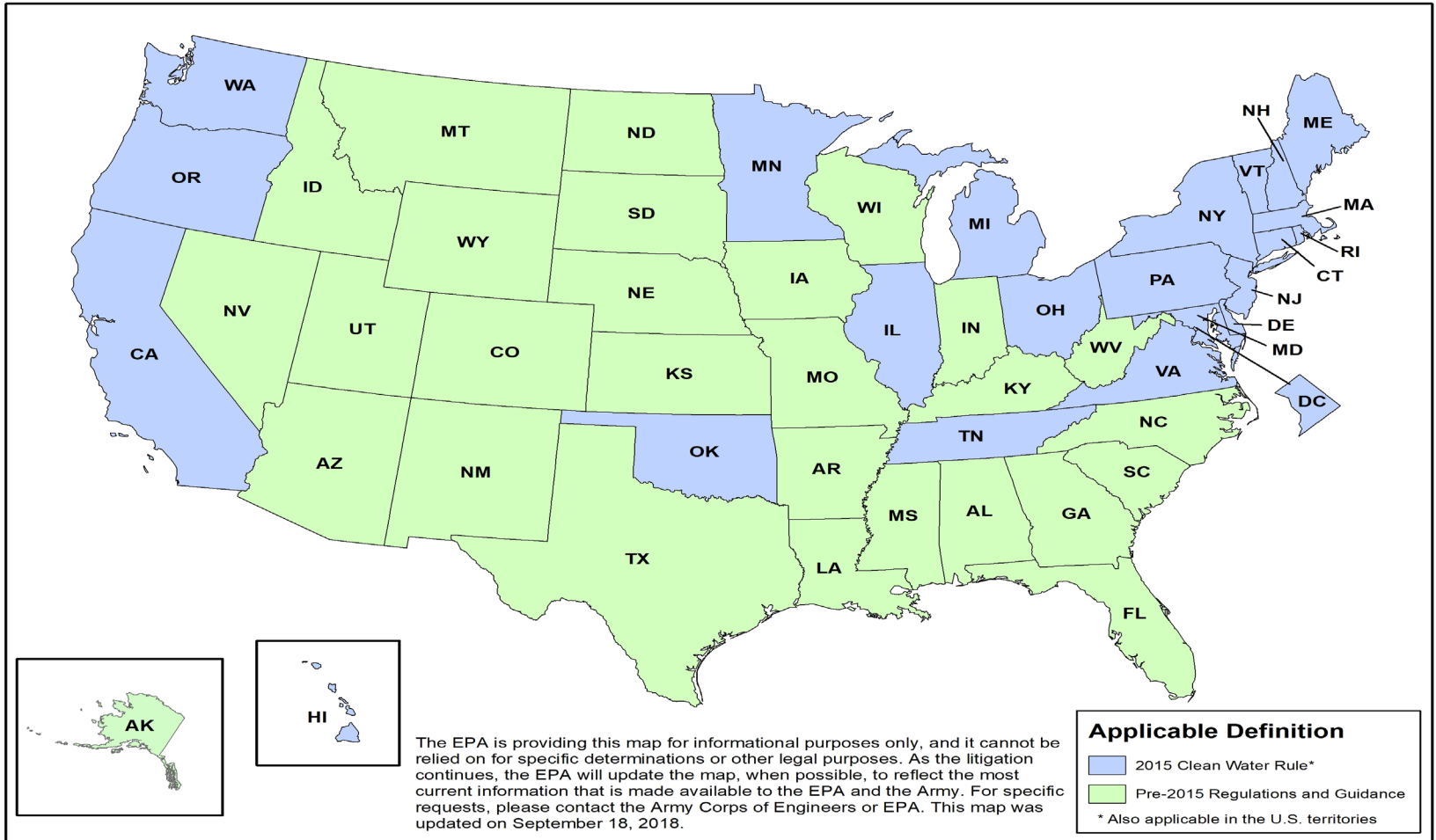
Water Advocates Changes

Q&A

Recent & Pending Regulatory Issues

- **Waters of the United States (aka WOTUS):**
 - Published in the Federal Register on February 14, 2019.
 - Comment period open until April 15, 2019.
 - The proposed rule can be found at <https://www.epa.gov/wotus-rule/step-two-revise>
 - The public can comment on the proposal via www.regulations.gov
 - Summary: the agencies published a proposed definition that would replace the approach in the 2015 Rule and the pre-2015 regulations, taking into consideration the principles that Justice Scalia outlined in the Rapanos plurality opinion.

Which Definition Applies?



County of Maui, Hawaii, PETITIONER v. Hawaii Wildlife Fund, ET AL.

- **QUESTION TO BE TAKEN BY THE US SUPREME COURT**

Whether a “discharge of a pollutant,” 33 U.S.C.

1362(12), occurs when a pollutant is released from a point source, travels through groundwater, and ultimately migrates to navigable waters.

Expected Regulatory Issues

- Blending Rulemaking
- Affordability
- Nutrients Survey

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WRDA 2018

S. 3021, America's Water Infrastructure Act

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

WRDA Stormwater Provisions:

New \$450 Million (\$225M/yr for 2 years) Grant Program of CSO, SSO, and stormwater collection and conveyance infrastructure for the:

“(A) treatment works to intercept, transport, control, treat, or reuse municipal combined sewer overflows, sanitary sewer overflows, or stormwater; and

“(B) any other measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water eligible for assistance under section 603(c).

National Stormwater Infrastructure Funding Taskforce:

"composed of federal, state, and local governments and private (including nonprofit) entities to conduct a study on, and develop recommendations to improve, the availability of public and private sources of funding for the construction, rehabilitation, and operation and maintenance of stormwater infrastructure to meet the requirements of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.)"

WRDA Workforce Provision:

\$1 million per year for the next two years for grants for water sector jobs. Specifically, grants will go to “non-profit organizations” to provide “skills development” to “advance training in the water utility sector related to construction, utility operations, treatment and distribution, **green infrastructure**, maintenance, and engineering.”

Program	FY17 Enacted	FY18 Omnibus	Pres. FY19	FY19 Omnibus	FY20 Ask	Function
Clean Water SRF	\$1.394B	\$1.7B	\$1.394B	\$1.7B	\$2.8B	Wastewater & Stormwater Loans
Drinking Water SRF	\$863M	\$1.2B	\$864M	\$1.2B	\$1.3B*	Drinking Water Loans
WIFIA	\$28M	\$63M	\$20M	\$68M	\$50M*	All Water Infrastructure Loand
USDA Water & Wastewater Loans & Grants	\$1.392M	\$1.8M	\$0	\$1.45B	\$2.5B	Rural Communities Loans and Grants
Total Combined	\$3.677B	\$4.76B	\$2.278B	\$4.4B	\$6.65B	

* = WRDA 2018 Authorized Level

FY19 Interior & Environment Appropriations:

**Rep. Denny Heck Amendment included
in Final FY19 bill -- \$500,000 to complete
EPA Clean Watersheds Needs Survey**

H.R.7279 - Water Infrastructure Improvement Act, by Rep. Bob Gibbs (R-OH)

Bipartisan. Passed House and Senate on Dec. 19 and Dec. 22, respectively and signed by the president.

Define IP to be a plan developed consistent with USEPA's Integrated Municipal Stormwater and Wastewater Planning Approach

Require USEPA to inform agencies of the opportunity to develop IP's that would result in a permit relating to

- CSO's
- Capacity management plans for collection systems
- Stormwater discharges
- Wasteload allocations related to TMDL's

Water Infrastructure Improvement Act – Cont.

Projects that are eligible for an IP include:

- Reclaiming, recycling or reusing water
- Green infrastructure defined to be projects that include plant and soil systems, permeable pavement, stormwater harvesting, reuse, or landscaping to store, infiltrate, or evapotranspire stormwater and reduce flows to sewer systems or to surface waters (USEPA tasked with promoting such projects, including at the regional office level)

An IP could include compliance schedules beyond any five-year permit

- Ability to rely on compliance schedules not part of an IP remain available to a discharger as part of an NPDES permit
- All IP compliance schedules must be authorized by state water quality standards and meet the requirements of CWA permitting reporting and other mandates

USEPA is directed to establish a Municipal Omnibus Office to provide technical assistance to comply with CWA

2018 Farm Bill

Title II – Conservation Programs – funding levels maintained

- Regional Conservation Partnership Program (RCPP) -- \$300M annually, application process streamlining.
- Environmental Quality Incentives Program
- Conservation Stewardship Program

Likely 116th Legislative Issues

- Infrastructure Package
- Campaign Finance Reforms
- Ethics Oversight
- Healthcare & Prescription Drugs
- Climate Change – House Select Comm. on the Climate Crisis
- Tax Fixers Bill

Infrastructure Package

House and Senate bill in early 2019

- Bipartisan
- “water infrastructure” must be included
- CW SRF reauthorization
- Affordability/Low-income
- Resilience
- NPDES
- R&D funding
- Innovative Funding
- Partnerships



FY20 Appropriations

- CW SRF -- \$2.8B
- DW SRF -- \$1.3B authorized level
- WIFIA -- \$50M authorized level
- Title XVI -- \$250M/5yrs
- USDA Rural Development Loans & Grants -- \$2B & \$500M
- Full Funding for USDA Conservation Programs
- Full Funding for AWIA Programs:
 - Sect. 221 – CSO, SSO, SW grants - \$450M/2 yrs.
 - Workforce grants
 - Resilience grants
 - DW R&D grants

SAVE THE DATE: APRIL 3-4, 2019



2019 NATIONAL WATER POLICY FLY-IN

WASHINGTON, DC



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Water Advocates Program

- **WEF.org – Advocacy tab**
- **New Website:**
 - <http://wef.org/advocacy/water-advocates2/>
- **Joining the Program is easy:**
 - <http://wef.org/advocacy/water-advocates2/>



Questions or Additional Info:

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