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The Clean Water Exchange is pleased to provide you with this April News Alert, providing updates on important legislative, regulatory, and legal issues affecting the clean water community.

EPA Releases Climate Change Strategy

EPA's Office of Water released its draft National Water Program Strategy: Response to Climate Change for public review on March 28. The draft document represents EPA's "initial effort to evaluate how best to meet our clean water and safe drinking water goals in the context of a changing climate." Five major goals for the National Water Program are outlined in the Draft Strategy: use core water programs to improve mitigation of greenhouse gases, adapt the implementation of core water programs to improve their effectiveness in the context of climate change, strengthen links between EPA water programs and climate change research, educate EPA staff and other stakeholders on climate change impacts on water resources and Agency programs, and establish the management capability within the National Water Program at EPA for sustained engagement of climate change challenges. For each of these goals, EPA identifies key actions that can be implemented in the next two years. Most of these key actions are simply expanding climate change considerations within current EPA programs, and the Agency does not make any recommendations for substantial program changes to deal with climate change and water issues more holistically. Despite recognizing that climate change challenges "do not always fit neatly into existing programs," there is little information in the report regarding new programs. Exchange subscribers are encouraged to prepare their own comments to forward to EPA.

OMB Approves Proposed Water Transfer Rule; Could be Released in May

The Office of Management and Budget (OMB) has approved EPA's proposed water transfer rule, clearing the way for it to be officially released by the Agency sometime in May. The long-awaited rule would clarify that interbasin transfers of natural, untreated water do not require a National Pollutant Discharge Elimination System (NPDES) permit. EPA received several comments on the draft version of the rule when it was released in June 2006, expressing support for the Agency's decision to exempt these kinds of transfers from permitting requirements. A number of recent court cases including *South Florida Water Management District v. Miccosukee Indian Tribe* before the U.S. Supreme Court and *Friends of the Everglades v. South Florida Water Management District*, currently before the Eleventh Circuit Court of Appeals, have also examined the issue of interbasin water transfers.

Farm Bill Negotiations Between House, Senate Conferees Near Completion

Discussions to resolve differences in versions of the Farm Bill passed by the House and the Senate are nearing an end, and provisions that would fund multi-stakeholder projects to address water quality and water quantity challenges remain intact. After just one public farm bill conferee meeting last week, the primary action went back behind closed doors and negotiators reached an agreement on a final resolution that should be announced soon. The negotiated deal includes an agreement on financing and offsets for the bill, particularly for increased spending for conservation, energy, and disaster relief provisions. Bush has reserved judgment until examining the conference report, but expectations are that the White House will sign the emerging bill.

EPA Releases Report on Wastewater Collection and Wet Weather Treatment Technologies

EPA last month released the third in a series of reports on municipal wastewater collection and treatment technologies. Emerging Technologies Report on Wastewater Treatment provides clean water agencies with the information on emerging wastewater treatment and in-plant wet weather management technology options. EPA describes the report as providing cost-effective, innovative and 'embryonic' technologies as well as established technologies with innovative applications for treatment and wet weather flow management. Technical and cost data for more than 60 innovative technologies and more than 25 embryonic technologies are provided. The technologies featured in the report are intended to provide more efficient or advanced wastewater treatment or better management of wet weather flows at the treatment plant. The new report is available on EPA's municipal technologies website under the Publications heading. The previous two reports, Emerging Technologies for Biosolids Management and Emerging Technologies for Conveyance Systems: New Installations and Rehabilitation Methods, are also available on the website.

Beach Protection Act Approved by House

The U.S. House of Representatives overwhelmingly passed the Beach Protection Act of 2007 (H.R. 2537) in a bipartisan voice vote April 16. Introduced by Reps. Frank Pallone (D-N.J.) and Tim Bishop (D-N.Y.), the legislation would reauthorize the Beaches Environmental Assessment and Coastal Health (BEACH) Act of 2000 for fiscal years (FY) 2008-2012 and provide \$40 million annually in grants to states for monitoring and pollution tracking. In addition, states could be required to use the money to develop and implement rapid testing methods for contamination. This funding is an increase from the annual \$30 million authorized in the 2000 law. The bill also requires rapid testing and public notification standards at the nation's beaches and could influence some of the issues being litigated in the related NRDC v. EPA case, in which NACWA is an intervener. Similar legislation (S. 1506) was introduced in the Senate by Sen. Frank R. Lautenberg (D-NJ) but no hearings have been scheduled.

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