



Water and Ecosystems Committee
September 22, 1009
Whitefish, Montana
Meeting Notes

U.S. EPA Assistant Administrator for the Office of Water, Peter S. Silva briefly touched on the following issues:

- Sustainable water and wastewater utility infrastructure – calls and meetings were held over the summer with states, local utilities and EPA to collaborate on a definition of fiscal sustainability for water infrastructure. EPA's recommendation was submitted to OMB in September and likely will be used in the SRF program starting in FY 2010
- ARRA funds - CWSRF and DWSRF are 99% committed
- Sustainable communities – important to the Administration and will be referenced in grants in the future
- Energy efficiency - will be a recurrent theme in the agency
- Enforcement – working with Cynthia Giles on this issue. He acknowledges that how states report and what they report is sensitive – he is working with states, academics, environmentalists and others since July on this issue. He invites states to provide to him any and all ideas on how to improve enforcement
- NPDES – number of new permits and universe of permits is expanding, i.e. NPS, vessel permits, expanded CAFO permits (better manure management). EPA expects the number of nationwide permits to expand from 375,000 to 1 million in the next few years.
- Pesticide permits – EPA still working out the details as a result of the court decision
- Nonpoint source pollution – he is realizing this is a prevalent topic with states that affects all major waterbodies; air is most common NPS; EPA has limited authority over agriculture.
- Chesapeake Bay – trying to see how far they can go using a TMDL approach to achieve results; Bay TMDL Federal Register Notice published September 17 - first public comment period on the proposal runs through December 18
- Nutrient Management – Florida is front and center; a joint EPA-state task force (with ASIWPCA) has delivered a report with recommendations
- U.S. EPA OIG August report - EPA's 1998 National Strategy and Plan to promote State adoption of nutrient water quality standards has been ineffective. The report made specific recommendations to EPA. (<http://www.epa.gov/oig/reports/2009/20090826-09-P-0223.pdf>)
- Urban waters initiative – small program that focuses on disadvantaged communities living by waters in large cities

State Questions — Silva Answers

- CO - Will EPA issue final guidance for WET permits?
A: Yes....and will get back to you.
- FL – proposal to send residuals to FL (couldn't hear the whole exchange)
A: Wow! Really? Will talk to you to get more information
- IN – Can you address resource constraints?

A: We're in over our heads in permitting and rulemaking; EPA will have to set priorities and should do so with the states and regions.

Unanswered comments:

- MO – Regarding delegated authority - currently it is all or nothing in accepting programs; if this doesn't change, may have to return some programs to EPA due to lack of resources.
- VT – CAFOs – will clarity be brought to the rule?
- OK – state general revenue cuts result in water program budgets cuts
- WI – U. of Wisconsin and the state agricultural agency are developing nutrient management but EPA has a bias toward using Purdue – please be more flexible. Need funding sources – look to agriculture and energy.

Steve Brown: House Transportation and Infrastructure Committee hearing announced for October 15 at 10:00 a.m. EDT, entitled, *The Clean Water Act after 37 Years: Recommitting to the Protection of the Nation's Waters*. The hearing is a result of the New York Times article; Jackson likely to testify; working to get a state witness.

Resolutions

- Resolution 03-7 (revised): *The Need for a National Mercury Reduction Implementation Strategy and Global Actions to Further Progress on Atmospheric Mercury Total Maximum Daily Loads (TMDLs)*
Passed without discussion
(See Resolution 03-7 <http://www.ecos.org/section/policy/resolution/?committee=2>)
- *Advancing Green Infrastructure, Energy Efficiency and Clean Energy Production at Wastewater and Drinking Water Treatment Plants*
Amendment by CT: 2nd page, 3rd paragraph, add: "with the understanding that the allocation of funds towards green infrastructure projects should be prioritized by state agencies."
Amendment accepted and resolution passed.
(See Resolution 09-8 <http://www.ecos.org/section/policy/resolution/?committee=2>)

State-to-State Presentation

Energy Management Guide and Workshops for Utilities/Massachusetts Energy Management Pilot for Drinking Water and Wastewater Treatment Facilities

Lucy C. Edmondson, Deputy Commissioner for Policy and Planning, Massachusetts Department of Environmental Protection (Presentation available on ECOS Water Committee web page at: http://www.ecos.org/files/3846_file_Massachusetts_EM_Pilot_Green_Infrastructure_Edmondson.ppt)

Madeline Snow, Lowell Center for Sustainable Production, University of Massachusetts-Lowell, and Faith Leavitt, GETF