



**Water and Ecosystems Committee**  
**March 24, 2010**  
**Sausalito, CA**  
*Meeting Notes*

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**Welcome** - Chair, Tom Easterly and via phone, Vice Chair Lucy Edmondson

**Introduction of Speaker** - Chair, Tom Easterly

**Featured Speaker** - U.S. EPA Assistant Administrator for the Office of Water, Peter S. Silva

***Priorities:***

**1. Nutrient pollution**

- TMDL in Chesapeake Bay - doing a specific rule for stormwater for the Bay.
- Working with USDA and farmers to be more effective in the Bay
- Chairing the Mississippi Hypoxia Task Force. . . . Indiana and Kentucky want to join
- Extended the comment period for the agency's proposed Florida water quality standards to April 28. The agency will also hold three more public hearings in Florida to obtain additional input and comments on the proposed rulemaking. A third party now will review the science issues surrounding the standards.
- Wisconsin will be next....EPA is working with them on criteria setting. Meantime, the state is proceeding with a public hearing.

**2. Stormwater Infrastructure**

- Green project set-asides in both ARRA and the SRFs (through Congressional appropriations language for 2010) provide an opportunity to utilities and states to work on nonpoint sources

**3. Improve how EPA looks at drinking water**

- Administrator Jackson announced a new strategy EPA will focus on four principles that will provide greater protection of drinking water. The four principles are:
  - Address contaminants as a groups rather than one at a time so that enhancement of drinking water protection can be achieved cost-effectively.
  - Foster development of new drinking water technologies to address health risks posed by a broad array of contaminants; work with the Office of Research and Development; especially technologies to help small communities.
  - Use the authority of multiple statutes to help protect drinking water; use OPPTS's authority under FIFRA and TSCA to keep pollution out of water.
  - Partner with states to share more complete data from monitoring at public water systems (PWS).

**4. Partnership Council of the Office of Water and the States (PCOWS)**

- Will meet in April on the 2012 budget. AA Silva will participate in more calls with ECOS and provide the status of issues of interest to States through Committee Chair Tom Easterly. Nancy Stoner is helping to free up more of his time.

5. **Clean Water Act Enforcement**

- Products from the 5-6 teams that were formed will soon be released. Office of Water is on the teams

6. **ARRA**

- States did a terrific job distributing the ARRA SRF funds in a timely manner
- EPA plans to compile some 'lessons learned' from the ARRA experience

7. **Urban Waters Initiative**

- More information on this new initiative will be forthcoming; there is more money for it in the FY 11 budget

8. **Chesapeake Bay**

- Covered this under #1; lot of work left to do on the TMDL

9. **Coming Together for Clean Water Summit**

- Some states invited to participate in the April 15 meeting in Washington, DC. Doug Scott (IL) will be a speaker. ECOS President Mike Linder (NE) will attend. The Blog is open for public comment until March 31.

*State Questions and Comments*

- Thanks for the ARRA funds. However, small and rural towns are struggling with getting engineering reports done to become eligible for funding. Asking EPA to consider monetary help for the reports under the SRFs.
- MT – thanks for the good guidance on SRF ARRA funds. Have problem with EPA's use 2.5% of MHI (median household income) as a metric ...MT used 1 % in moving ahead on its nutrient criteria standards
- OH – what is EPA's thinking in terms of array of options to deal with nonpoint source problems?  
*AA Silva:* EPA is struggling with that right now. OW asked to come up with a plan. Dealt with on urban side through construction and post-construction standards. On agricultural side, with USDA – they have more funding - to manage runoff. No clue yet on how to deal with air deposition. Currently, 20 percent of Chesapeake Bay problem is air deposition.
- DE – Ten years ago, EPA completed GAP analysis. Showed a huge funding gap, which has only become larger. In the future, the battle for funding for environmental programs in the States will be fierce. Has EPA thought about how to "sell" closing the gap? No other media program is so far from reaching its goals as water.  
*AA Silva:* We need more efficiency at utilities. Upcoming rules for nonpoint sources, pesticides, NPDES will add to the costs. Time is ripe to think outside the box for solutions.
- OR – Thanks for working on NPS. We need help.  
*AA Silva:* EPA made some mistakes in how it handled Florida...it wasn't 'pretty' getting to where they are now.
- NH – Nonpoint sources - Air deposition is a significant source of nitrogen. Septic systems and impervious surfaces also major problems.

- VT – Stormwater rule ... be careful of the impact of federal rule on state rule that has been in effect for 30 years. Also, the TMDL is a difficult concept to explain to municipality and the public. One will be done for Lake Champlain.
- CA – Pesticide rule - will see draft next month; stay ends April 2011
- MT – Have all the tools we need for ratcheting down on municipal facilities. But all that does is drive them to septs. Thinking about trading for nitrogen – phosphorus.
- IN – How do we measure water quality improvements in relation to investment made?  
*AA Silva:* Haven't kept up with new emerging sources of pollutants or with nonpoint sources. Now it's like we're starting all over from scratch only with a new group of problems. Need more funding.
- MT – No low hanging ripe fruit left...point sources were easier  
*AA Silva:* Will be more expensive to address emerging contaminants. We need to adopt an approach where we keep pollutants out of the water in the first place.

### **Resolutions**

(See all Resolutions <http://www.ecos.org/section/policy/resolution/?committee=2>)

- Revised Resolution 07-4, *Clean Water Act National Pollutant Discharge Elimination System Management Framework*

Passed unanimously.

- Revised Resolution 07-3, *ECOS Opposition to Set-asides of Water Quality Program Funding*

Passed unanimously.

- New Resolution 10-2, – *Comprehensive National Mercury Monitoring*

Amendment proposed by Texas was accepted.

Amended resolution passed unanimously.

### **Proposed New ECOS Water Subcommittee on Nonpoint Source Pollution**

The following states expressed interest in participating on a Subcommittee:

- |                 |               |
|-----------------|---------------|
| ▪ Maine         | ▪ Oklahoma    |
| ▪ Maryland      | ▪ Oregon      |
| ▪ Massachusetts | ▪ Puerto Rico |
| ▪ Nebraska      | ▪ Washington  |
| ▪ New Hampshire | ▪ Wisconsin   |
| ▪ Ohio          |               |

Two states offered to lead the new Subcommittee:

- Vermont, Chair
- Montana, Vice Chair

The Subcommittee should define their goals.

### **Adjournment**