



EPA

Office of Water

Update

HOLLY GALAVOTTI, OFFICE OF WASTEWATER MANAGEMENT

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Today's Update

- ▶ Waters of the U.S. Definition
- ▶ Hydrologic Connection
- ▶ Infrastructure Finance and Streamlining
- ▶ Green Infrastructure
- ▶ Long Term Stormwater Planning

Waters of U.S. Definition (WOTUS)

- ▶ EPA and U.S Army Corps of Engineers are using a two-step process to consider revisions to the definition of WOTUS.
 - ▶ **Step 1: July 2017 Proposed Action to repeal the 2015 Rule** and recodify the regulation that was in place prior to issuance of the 2015 Rule.
 - ▶ **Supplemental Notice** of proposed rulemaking (issued June 29, 2018), and published today in Federal Register. Public comment period effective today through August 13.
 - ▶ **Step 2: Redefinition of WOTUS** - On June 15, 2018, EPA sent the “Step 2” regulation that would redefine WOTUS to the Office of Management and Budget for interagency review.
 - ▶ **Applicability Rule** - published February 6, 2018, stated that the 2015 rule will not become applicable before February 6, 2020.

Direct Hydrologic Connection/ Conduit Theory

- ▶ Federal Register Notice for Public Comment

February 13 – May 21, 2018

- ▶ Sought input on how pollutants that are released into groundwater from point sources and have the potential to migrate through a direct hydrologic connection into a federally-protected surface water should be treated under the Clean Water Act.
- ▶ EPA received over 58,000 comments on this notice, about 900 of which are distinct comments.

Infrastructure Finance

- ▶ Estimate \$743 billion is needed to maintain, upgrade and replace our nation's water infrastructure over the next 20 years.
- ▶ FY18 Omnibus (March 2018) - Providing \$50 million for 3 grant programs through the SRF program:
 - ▶ \$20 million for Small and Disadvantaged Communities
 - ▶ \$10 million for Replacement of Lead Lines, Treatment and Testing
 - ▶ \$20 million for Lead Testing in Schools and Child Care

Water Infrastructure Finance and Innovation Act (WIFIA)

- ▶ Credit assistance with flexible terms in order to attract private participation, encourage new revenue streams for infrastructure investment.
- ▶ Provides billions of dollars through direct loans and loan guarantees and cover up to 49% of a project's eligible cost.
 - ▶ \$1 in appropriated funding will leverage approximately \$100 in credit assistance.
 - ▶ Designed to complement (not compete!) the State Revolving Funds.
- ▶ In April, EPA announced \$5.5 billion of available loans, which could leverage private capital to result in more than \$11 billion in investments and 170,000 jobs.
 - ▶ Letters of interest are due July 31.
- ▶ Finalized loans from the 2017 applications in Omaha, Nebraska, and King County, Washington, and EPA plans to close several more this summer.

Permit Streamlining

- ▶ **One Federal Decision MOU** - 12 federal agencies, including EPA, establishes a coordinated and timely process for environmental reviews and permitting of major infrastructure projects.
 - ▶ Lead federal agency designated.
 - ▶ Develop a single record of decision.
 - ▶ Agree on a permitting timeline with the goal of completing the entire process within two years.
 - ▶ Eliminate duplication and costly delays and promote good environmental, community, and economic outcomes.
- ▶ EPA is also employing business process improvement strategies, such as LEAN, to increase efficiencies in all permitting processes, for example to reduce backlog of EPA-issued NPDES permits

Green Infrastructure

- ▶ Webcast series
 - ▶ 1st 2018 webcast focused on the role of green infrastructure in hazard mitigation and featured speakers from EPA, FEMA, and the Oregon Partnership for Disaster Resilience at the University of Oregon Community Service Center.
 - ▶ Future webcasts - urban habitat restoration and brownfield and superfund revitalization.
- ▶ 7th Annual Campus RainWorks Challenge - announcement coming soon, registration will open in September.
 - ▶ Green infrastructure design competition that is open to colleges and universities across the country. Since the challenge's inception, nearly 600 teams have competed.
 - ▶ In 2017, EPA had 87 teams from across 30 states and 53 different academic institutions submit designs.
 - ▶ New requirement that students to upload short video presentations about their designs to YouTube.

Long Term Stormwater Plans

- ▶ October 2016, EPA launched a voluntary, long-term stormwater planning effort to help communities take a comprehensive approach to stormwater management.
- ▶ Promote the benefits of integrating stormwater with the community's broader plans for economic development, transportation, infrastructure investment, and environmental compliance.

Community pilot projects in Hattiesburg, MS; Rochester, NH; Burlington, Iowa and Santa Fe NM.

Common goals :

- Develop asset management program;
- Managing flooding and increase resiliency;
- Sustainably financing a stormwater program;
- Implementing effective stormwater development policy;
- Integrating stormwater into downtown redevelopment;
- Syncing stormwater opportunities with transportation projects;
- Increasing collaboration throughout the watershed.
- Complement stormwater management solutions into sustainability plans.
- Sharing information on federal funding opportunities.