

FY09 budget resolution aims to strengthen economy

Senate blueprint includes plan for infrastructure investment

On March 13, the U.S. House of Representatives passed an original, non-binding budget resolution (H. Con. Res. 312) or “blueprint” that will set forth the congressional budget for the next five year period. Exactly one day later on March 14, the Senate also passed its budget resolution (S. Con. Res. 70).

Each resolution has dedicated a section for a deficit-neutral Reserve Fund. The fund is for legislation that provides investment in America’s infrastructure, including projects for transit, public housing, energy, water, highways, bridges and other related projects. The Senate-passed budget resolution provides \$7 billion for an infrastructure investment package, if Congress and the Administration move forward on a second

economic stimulus. Originally, the budget allocated \$3.5 billion for transportation projects. Sen. Ben Nelson (D-NE) proposed an amendment that was passed, which designated an additional \$3.5 billion for “ready-to-go” infrastructure projects. Earlier this year, the President signed into law an economic stimulus package that did not include funding for infrastructure investment.

The next step is the establishment of a conference committee to reconcile differences in the House and Senate versions of the budget resolution. Conference committee members have yet to be named. For more information, please check the APWA Web site under Advocacy, at www.apwa.net/advocacy/.



Image courtesy of the APWA Jim Martin Public Works Photo Library at www.apwa.net.

Chemical security bill covers water facilities

The House Homeland Security Committee introduced the Chemical Facility Anti-Terrorism Act of 2008 (H.R. 5577) to reauthorize and make permanent the Chemical Facility Anti-Terrorism Standards issued by the Department of Homeland Security (DHS) in 2007. The legislation would, for the first time, regulate water and wastewater facilities in the same manner as for-profit chemical manufacturers and transfer authority over water and wastewater security matters from the Environmental Protection Agency (EPA) to DHS. A survey of the legislation is available on the committee’s Web site: <http://homeland.house.gov/>.

Water sector groups continue to urge lawmakers that water and wastewater facilities be exempt from legislation intended for private chemical manufacturers and suppliers. To date, congressional staff has been unwilling to explore a specific exemption for water and wastewater facilities.

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Interested stakeholders will likely have additional opportunities to advocate for an exemption because the legislation has been referred to the House Energy and Commerce Committee. The House Energy and Commerce Committee has long-standing jurisdiction over matters involving the Safe Drinking Water Act, chemicals and hazardous substances.

Additionally, the House Transportation and Infrastructure Committee Chairman Oberstar requested jurisdictional review of the legislation because the committee has original jurisdiction over the Clean Water Act and related water pollution control statutes. Reviews by additional House committees will likely delay or even prevent consideration of the legislation on the floor and, therefore, water and wastewater facilities will continue to enjoy the exemption established in the earlier version of the Chemical Facility Anti-Terrorism Act.

Rep. Blumenauer releases discussion outline for Water Trust Fund bill

This winter, Rep. Earl Blumenauer (D-OR), former member of the House Transportation and Infrastructure Committee and current member of the House Ways and Means Committee, conducted a series of discussions about opportunities to increase water infrastructure investment at the federal level. He is currently soliciting comments from his colleagues and interested stakeholders on a discussion outline for water trust fund legislation that includes various revenue

sources. Potential revenue sources include tax on bottled beverages, flushable products, and agricultural chemicals, reinstatement of the Corporate Environmental Tax and higher penalties on Clean Water Act violations.

Blumenauer is looking to begin generating debate and discussion among his colleagues and interested stakeholders about the appropriate approach for dealing with this funding crisis. He is championing a trust fund bill for water and wastewater facilities as a key part of a broad-based infrastructure plan for the 21st century and he expects to propose draft legislation in the coming weeks. The concept is based on early draft Water Infrastructure Network (WIN) legislation.

New tools for small drinking water systems

The Environmental Protection Agency (EPA) released a new guide, *Improving Security through Capacity Development: Capacity Self Assessments*. The guide focuses on the security needs of drinking water systems serving 3,300 or fewer customers and illustrates how existing tools may help systems address security concerns.

Copies are available from the Office of Water Resource Center at (202) 566-1729 or by calling the Safe Drinking Water Hotline at 800-426-4791. Reference document number EPA 816-F-05-008 when requesting copies. The guide is also available for download at www.epa.gov/safewater/smallsys/ssinfo.htm.

EPA also released new tools to help small water systems improve drinking water monitoring and reporting. The

agency released a set of placards that summarize day-to-day monitoring requirements for small drinking water systems. The new placards are available at www.epa.gov/safewater/smallsys/ssinfo.htm.

Liquid Assets

Liquid Assets: The Story of Our Clean Water Infrastructure is a documentary developed by Penn State Public Broadcasting and sponsored by a wide range of industry groups, including APWA. Harnessing the national power of public television, *Liquid Assets* is a public media and outreach initiative that seeks to inform the nation about the critical role water infrastructure plays in protecting public health and promoting economic prosperity. Combining a ninety-minute documentary with a community toolkit for facilitating local involvement, the project explores the history, engineering and political and economic challenges of our water infrastructure and engages communities in local discussion about public water and wastewater issues. The documentary will begin airing this fall. More information, including a trailer, is available at www.liquidassets.psu.edu/.



Filming for the Liquid Assets documentary took place in Atlanta, Washington, D.C., New York City and Pennsylvania

New rule on standards to mitigate loss of wetlands and streams

The Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Corps) recently released a final rule setting standards to mitigate the loss of wetlands and associated aquatic resources. The new rule clarifies how to provide compensatory mitigation for unavoidable impacts to wetlands and streams, and will enable both agencies to provide greater consistency, predictability and ecological success of mitigation projects under the Clean Water Act.

According to the announcement, the rule will: (1) foster greater predictability, increased transparency, and improved performance of compensatory mitigation projects; (2) establish equivalent standards for all forms of mitigation; (3) respond to recommendations of the Natural Resources Council to improve the success of wetland restoration and replacement projects; (4) set clear-based and results-oriented standards nationwide while allowing for regional variations; (4) increase and expand public participation; (5) encourage watershed-based decisions and (6) emphasize the mitigation sequence requiring that proposed projects avoid and minimize potential impacts to wetlands and streams before proceeding to compensatory mitigation.

The policy is consistent with the administration's goal of "no net loss of wetlands" because the Corps may require a property owner to restore, establish, enhance or preserve other aquatic resources in order to replace those impacted by the proposed project. Successful compensatory mitigation projects will replace environmental functions lost as a result of permitted activities.

Additional information on the new rule is available at www.epa.gov/wetlandmitigation or www.usace.army.mil/cw/cecwo/reg/civilan.htm.

EPA publishes disaster debris guidance

The Environmental Protection Agency (EPA) published a new guidance document, Planning for Natural Disaster Debris, which updates a similar guidance document from 1995. The new version provides local communities with updated information related to disaster debris, consistent with information provided by the Federal Emergency Management Agency and individual states.

One of the main recommendations is for local communities to develop disaster debris management plans before a natural disaster occurs. Additionally, the guidance provides a discussion of management options for various debris types that might be found after natural disaster, a collection of case studies that highlighting how several communities prepared for and managed debris generated by recent natural disasters, and a list of federal, state and local resources to consult in planning for natural disasters. For a copy of the documents, visit www.epa.gov/epaoswer/non-hw/debris-new/disaster.htm.

Senate schedules hearing on drugs in drinking water supplies

The Senate Environment and Public Works Committee recently announced plans to convene a hearing to examine reports claiming trace amounts of pharmaceuticals in drinking water supplies. The hearing will focus on an Associated Press investigative report that found trace amounts of various pharmaceuticals drugs in water systems severing approximately 4 million Americans.

EPA seeks comment on water strategy to respond to climate change

The Environmental Protection Agency (EPA) is soliciting comments on a draft strategy that describes the potential effects of climate change on clean water, drinking water and ocean protection programs, and outlines EPA's response to these effects. The National Water Program Strategy Response to Climate Change focuses on actions designed to help managers adapt their water programs in response to climate change.

The draft strategy includes steps to strengthen links between climate research and water programs, and to improve education for water program professionals on potential climate change impacts. The strategy also identifies contributions which can be made by water programs to mitigate green house gas emissions.

Comments are being accepted for 60 days. The strategy is available at www.epa.gov/water/climatechange.

White paper defines a vision for homeland security

In a recently released white paper, the Homeland Security Consortium outlined a vision for homeland security and called for an equal partnership between state, local and private entities and the federal government in setting national homeland security goals, policies and procedures. APWA is a member of the Consortium and signed the paper.

Protecting Citizens in the 21st Century, released April 8, also recommends improvements in the areas of collaboration and communication; intelligence and information sharing; use of the military; health and medical; interoperability; critical infrastructure; surge capacity and a unified national capabilities approach; sustained resources and capabilities; and immigration and border security.

The objectives of the Consortium include: providing a broad-based resource and sounding board on homeland security issues for all national stakeholders; sharing information, knowledge, experiences and practices; contributing to the homeland security debate and discussion; focusing efforts to resolve issues; and developing recommendations in identified areas of common interest. In addition to APWA, participating groups include more than 20 national organizations representing state and local government, public interest and the private sector.

The white paper is on the APWA Web site at www.apwa.net/Advocacy/resources.asp.

Report assesses FEMA preparedness for next disaster

The Department of Homeland Security (DHS) Inspector General has issued a report providing a high-level assessment of the Department and the Federal Emergency Management Agency's (FEMA) preparedness for the next catastrophic disaster. The primary objectives of the assessment were to identify key areas for preparing for a catastrophic disaster and determine the progress FEMA has made in key areas since Hurricane Katrina struck in August 2005.

The assessment found that overall, FEMA has made moderate progress in five of nine key areas, modest progress in three areas and limited progress in one. FEMA officials said budget shortfalls, reorganizations, inadequate information technology systems and confusing or limited authorities negatively affected their progress. The report points out that FEMA would also benefit from better knowledge management and plans for sustaining initiatives that are underway.

The report recommends FEMA (1) conduct a comprehensive needs analysis to determine where the agency is now and where it needs to be in terms of preparedness for a catastrophic disaster; (2) develop and sustain a system for tracking progress of programs, initiatives and enhancements; and (3) provide regular updates regarding progress on all major preparedness initiatives and projects.

The report is available at www.dhs.gov/xoig/assets/mgmttrpts/OIG_08-34_Mar08.pdf.

2008 Homeland Security Symposium on Fostering Public-Private Partnerships

The Federal Facilities Council of the National Academies and the Institute for Infrastructure and Information Assurance at James Madison University are holding a Homeland Security Symposium on Fostering Public-Private Partnerships.

The event takes place Thursday, May 22, at the National Academy of Sciences in Washington, D.C. The symposium will illuminate successful public-private partnerships at the local, regional and national level as models, and consider steps to develop and improve future public-private

partnerships. Homeland Security Secretary Michael Chertoff has been invited to present a keynote address.

For information about the symposium, visit www.jmu.edu/iiia/2008symposium. Registration event is \$100, free for members of the Federal Facilities Council or anyone from an academic institution. Pre-registration is required to attend the event, and Symposium attendance is limited to the first 350 registrants.

APWA submits recommended financing solutions to national transportation commission

APWA submitted comments on an interim report by the National Surface Transportation Financing Commission, which was established under SAFETEA-LU to analyze future transportation needs. The interim report does not make recommendations but instead discusses how the Commission will approach its mandate. The Commission will address comments in a final report later this year.

APWA's comments, submitted April 3, include financing and investment recommendations as presented in APWA's reauthorization position statement. The recommendations include a mix of approaches and mechanisms from raising the motor fuel tax, to exploring vehicle-mileage fee technologies and expanding innovative financing tools. A copy of the letter is posted on APWA's Web site, www.apwa.net/advocacy/resources.

SAFETEA-LU established the Commission and charged it with analyzing future highway and transit needs and the finances of the Highway Trust Fund, and making recommendations regarding alternative approaches to financing transportation infrastructure. It has 15 members representing state and local government, industry, financial institutions, public policy organizations and law firms. The Commission was chartered as a Federal Advisory Committee to the U.S. Department of Transportation.

The interim report and more information about the Commission is available at <http://financecommission.dot.gov>.

DOT study looks at environmental impacts on Gulf Coast transportation infrastructure

The U.S. Department of Transportation (DOT) released a study on the potential impacts of climate changes and land subsidence, the natural sinking of an area's land mass, on transportation infrastructure in the U.S. Gulf Coast region.

The Impacts of Climate Change and Variability on Transportation Systems and Infrastructure: Gulf Coast Study, Phase I, provides an assessment of the vulnerabilities of transportation systems in the region to potential changes in weather patterns and related impacts, as well as the effect of natural land subsidence and other environmental factors in the region. The area examined by the study includes 48 contiguous counties in four states, running from Galveston, Texas, to Mobile, Ala.

Based on 21 simulation models and a range of emissions scenarios, the study found potential changes in climate over the next 50-100 years could disrupt transportation services in the region. Twenty-seven percent of major roads, nine percent of rail lines, and 72 percent of area ports are at or below four feet in elevation, and could be vulnerable to flooding due to future sea level rise and natural sinking of the area's land mass. The study is designed to help state and local officials as they develop their transportation plans and make

investment decisions.

Subsequent phases of the study will focus on risks and adaptation strategies involved in planning, investment, design and operational decisions for infrastructure in the Gulf Coast region and nationwide. The study was performed in partnership with the U.S. Geological Survey and state and local researchers, and is one of 21 "synthesis and assessment" reports produced as part of the U.S. Climate Change Science Program.

The study is available online at <http://climate.dot.gov>.

FHWA names new executive director

On April 10, the Federal Highway Administration (FHWA) announced the appointment of Jeffrey Paniati as the agency's new executive director, replacing Frederick 'Bud' Wright who retired earlier this year.

Prior to his appointment, Paniati served as FHWA associate administrator for operations. He was responsible for FHWA's efforts in the areas of congestion management, Intelligent Transportation Systems (ITS) Deployment, traffic operations, emergency management and freight management and operations.

Paniati's appointment does not require Senate confirmation.



Image courtesy of the APWA Jim Martin Public Works Photo Library at www.apwa.net.

TRB study examines climate change impacts on transportation

The Transportation Research Board (TRB) published a new report examining climate change impacts of greatest concern for transportation infrastructure and provides guidance for transportation decision makers on how best to proceed.

The report, *Potential Impacts to Climate Change on U.S. Transportation, TRB Special Report 290*, provides transportation professionals with an overview of the scientific consensus on those current and future climate changes of particular relevance to U.S. transportation, including the limitations of present scientific understanding as to their precise timing, magnitude and geographic location. The report also identifies potential impacts on U.S. transportation and adaptation options, and offers recommendations for both research and actions that can be taken to prepare for climate change.

The report is available at <http://onlinepubs.trb.org/onlinepubs/sr/sr290.pdf>.

Report provides intergovernmental perspective on financing transportation needs

A new report by the Intergovernmental Forum on Transportation Finance, a body convened by the National Academy of Public Administration, finds the gap between America's surface transportation needs and the financial resources required to bridge the gap is large, immediate and long-term.

Financing Transportation in the 21st Century – An Intergovernmental Perspective explores, from an intergovernmental perspective, options to strengthen the nation's transportation finances. The report contains six recommendations and describes the roles and responsibilities of the governments and other entities that support the nation's highway and transit systems. It concludes all levels of government must work together to set system-performance goals and provide the financial means to meet those goals.

Formed in January 2007, the Intergovernmental Forum on Transportation Finance reviewed the current status of surface transportation financing agreements that may be needed. APWA's SAFETEA-LU Reauthorization Task Force worked with the Intergovernmental Forum to present the public works perspective on financing the nation's surface transportation system.

The National Academy of Public Administration, chartered by Congress, is a non-profit, independent coalition of public management and organizational leaders who address the nation's most critical issues and complex challenges. In addition to the National Academy of Public Administration, other participating organizations included the Council of State Governments, the International City/County Managers Association, the National Association of Counties, the National Conference of State Legislatures, the National Governors Association and the National League of Cities.

The report is available at http://www.trb.org/news/blurbs_detail.asp?id=8863.

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