

# APWA Washington REPORT

December 2007

## EMERGENCY MANAGEMENT/DISASTER MITIGATION

### Emergency Response

#### APWA RESPONDS TO NORTHWEST FLOODING

On Dec. 12, APWA President Larry Frevert sent a letter to mayors and civic leaders in Washington and Oregon, as well as APWA members in the region, extending sympathy and support following the massive flooding in the two states, and offered APWA's full resources and expertise in their recovery efforts. In particular, he highlighted response efforts and encouraged the continued recognition of the key role played by public works officials as they work alongside rescue and other emergency personnel to ensure roads are clear from debris and critical infrastructure systems are fully operational.

As a result of the Memorandum of Understanding (MOU) recently signed between APWA and the Federal Emergency Management Agency (FEMA), APWA is able to keep an open line of communication with FEMA during the course of large-scale disasters to ensure affected members are provided the most accurate and up-to-date information regarding federal aid and other assistive programs.

As of mid-December, FEMA Administrator David Paulison named federal officers in Washington and Oregon to coordinate the federal response efforts in both states. Surveys of the damaged areas were taking place to determine the extent of the assistance needed for disaster recovery. Press releases about FEMA's response to the flooding are available at: <http://www.fema.gov/news/recentnews.fema>.

For questions about federal aid programs, FEMA contact information or other details relating to this disaster, contact Dan Jensen at [djensen@apwa.net](mailto:djensen@apwa.net).

### Flooding

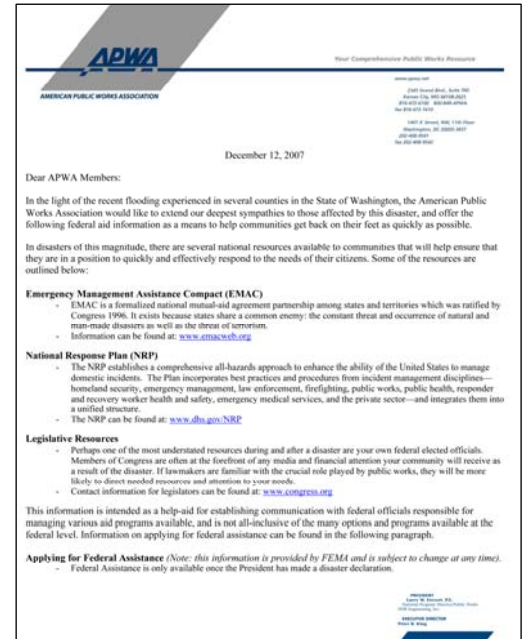
#### FEMA, U.S. COAST GUARD RESPOND TO PACIFIC NORTHWEST FLOODING

Responding to widespread flooding following a powerful storm that recently pummeled the Pacific Northwest, the U.S. Coast Guard and Federal Emergency Management Agency (FEMA) mobilized resources to assist residents in Oregon and Washington. At the height of the flooding, the Coast Guard was able to rescue and evacuate more than 160 people and six pets in remote, inaccessible locations that became inundated.

### **INSIDE YOU'LL FIND**

**P2—EMERGENCY MNGMT/DISASTER MITIGATION, cont:** Responder Credentialing; Information Sharing  
**P3—DHS;** Emergency Management

**P4—ENVIRONMENT:** EPA Appropriations; Farm Bill  
**P5—Effluent Guidelines;** Detergents; Climate Change  
**P6—TRANSPORTATION:** Congestion; Transportation Policy  
**P7—Work Zone Safety; INTERGOV:** Appropriations



APWA President Larry Frevert contacted APWA members, local mayors and civic leaders in Washington and Oregon following severe flooding in the area. He expressed support, offered resources and encouraged recognition of public works officials as first responders.



American Public Works Association • Washington Office

Peter B. King, Executive Director • 1401 K Street, NW, 11th Floor, Washington DC 20005  
(202) 408-9541 • (202) 408-9542 fax • [apwa.dc@apwa.net](mailto:apwa.dc@apwa.net) • [www.apwa.net/advocacy](http://www.apwa.net/advocacy)

President Bush declared major disasters in Washington and Oregon, making state and local government agencies and certain non-profit organizations eligible to receive FEMA-administered funding, on a cost-sharing basis, for disaster recovery operations. Before the declarations, FEMA Region X sent state liaisons to Oregon and Washington emergency response centers, its mobile emergency response system to Astoria, Ore., and an incident response vehicle to Chehalis, Wash., to support Coast Guard District 13 communication efforts.

### **Responder Credentialing**

#### **FEMA DIRECTOR SAYS CREDENTIALING STANDARD FOR FEDERAL RESPONDERS WELL UNDER WAY**

The director of the Federal Emergency Management Agency's (FEMA) Office of Policy and Program Analysis, Marko Bourne, told a House subcommittee that FEMA "is making great strides in developing a credentialing and typing standard for use by responders across jurisdictions." Title IV of the 9/11 Commission Recommendations Act directs FEMA to set standards for credentialing federal personnel who are likely to respond to natural or man-made disasters and acts of terrorism.

During the week of Dec. 12, in testimony before the House Homeland Security Committee, Subcommittee on Emergency Communications, Preparedness, and Response, Bourne said, "The program plan we have outlined puts FEMA in a position to meet the objectives and milestones of Title IV of the 9/11 Act, and promotes mutual aid and standardized multi-jurisdictional interoperability." The milestones he mentioned will be met over the next several months.

Bourne said FEMA is developing a common credential standard by gathering information from the National Incident Management System, National Response Framework, National Infrastructure Protection Plan, National Emergency Management Association, National Fire Protection Association, Emergency Management Accreditation Program and the American National Standards Institute.

### **Information Sharing**

#### **WHITE HOUSE RELEASES FIRST NATIONAL STRATEGY FOR INFORMATION SHARING**

The White House recently announced the first National Strategy for Information Sharing, which sets priorities for and unifies the nation's efforts to advance the sharing of terrorism-related information.

The strategy outlines the country's plan to continue the progress made in improving information sharing since the 9/11 attacks and to establish an integrated national information sharing capability. It was developed using a collaborative process and based on significant input provided by members of the Federal Information Sharing Council, as well as state, local, tribal and private sector officials from across the nation.

"Every day, we work to improve the sharing of terrorism-related information with our foreign allies and the private sector, as well as law enforcement officials throughout our country. This strategy will help us all continue to work together to detect, prevent, disrupt and preempt terror attacks," said Homeland Security Advisor Fran Townsend.

The complete National Strategy for Information Sharing is available at <http://www.whitehouse.gov/nsc/infosharing/index.html>.

## DHS

### **FRAN TOWNSEND RESIGNS AS ASSISTANT TO PRESIDENT FOR COUNTERTERRORISM AND HOMELAND SECURITY**



**Fran Townsend, Assistant to the President for Counterterrorism and Homeland Security,** recently announced her resignation. *Image courtesy of the White House.*

After four-and-a-half years of service as Assistant to the President for Counterterrorism and Homeland Security, Fran Townsend announced her resignation, effective Jan. 1, 2008. President Bush and Secretary Chertoff issued statements following her announcement.

According to the President's statement, "Fran has always provided wise counsel on how to best protect the American people from the threat of terrorism. She has been a steady leader in the effort to prevent and disrupt attacks and to better respond to natural disasters." He noted that her public service career has spanned more than two decades. "With her extensive experience, intellect and candor, Fran has ably guided the Homeland Security Council. She has played an integral role in the formation of the key strategies and policies my Administration has used to combat terror and protect Americans... We are safer today because of her leadership."

Chertoff stated, "Fran was a major architect of our national homeland security strategies, including the 'lessons learned' from Hurricane Katrina. She has championed counterterrorism and information sharing, leading the effort to better integrate federal, state, and local intelligence, law enforcement, and first responder communities and thwart the efforts of those who wish to do us harm... Always wise, dedicated, and energetic, Fran deserves all our gratitude for her service and substantial contribution to securing the homeland."

The President's complete statement is available at:

<http://www.whitehouse.gov/news/releases/2007/10/20071009-2.html>.

## Emergency Management

### **FEMA'S EMI CELEBRATES 25TH ANNIVERSARY OF INTEGRATED EMERGENCY MANAGEMENT COURSE**

This month FEMA's Emergency Management Institute (EMI) celebrates the 25th anniversary of its Integrated Emergency Management Course (IEMC). EMI first conducted the course in November 1982 for 53 students from Arlington County, Va. Since then, 559 courses have been conducted for more than 33,000 students, helping states, as well as local and tribal communities, prepare for disasters and special events including papal visits, the Super Bowl, NASCAR races, World Cup Soccer, the Olympics and national political conventions. Most students are eligible for reimbursement of travel costs, and housing is provided by FEMA.

In addition to the generic course, which features a model community known as "Central City," in 1983 EMI introduced a more specialized, community- or state-specific version. Community-specific IEMCs require a major commitment from community officials and emergency managers, as well as from state and regional offices involved in emergency management. Only a few communities each year are selected through a competitive process to participate in this specialized, comprehensive emergency training.

Over the years, the IEMC developed distinct versions of its course focused on specific hazards or emergency functions, including hurricanes, earthquakes, hazardous materials, homeland security/terrorism and food and agricultural terrorism. For fiscal year 2008, EMI is developing two new projects: an electronic version of "Central City" called the Virtual Model Community, and a new course to exercise the interface between the emergency operations center and the incident management team.

More information about EMI training is available at [www.training.fema.gov](http://www.training.fema.gov).

## **ENVIRONMENT**

### **EPA Appropriations**

#### **APPROPRIATIONS SHOWDOWN LEAVES CLEAN WATER FUNDING IN QUESTION**

Senate lawmakers are still a long way from concluding the fiscal year (FY) 2008 Interior-Environment appropriations bill that provides funding for the U.S. Environmental Protection Agency (EPA). This summer, the full House debated and approved its version of the bill ([H.R. 2643](#)) by a vote of 272-155, providing \$8.1 billion for EPA and \$1.125 billion for the Clean Water State Revolving Fund (CWSRF). Funding legislation ([S. 1696](#)) has only made it through the Appropriations Committee on the Senate side, which approved \$7.7 billion for EPA and \$887 million for the CWSRF. The full Senate has not yet voted on the bill. Both the House and Senate bills contain more than \$27 billion in 2008 discretionary spending, \$1 billion more than the current year and nearly \$2 billion more than the President's request.

The Bush administration has expressed a willingness to veto these bills, stating that they "include irresponsible and excessive funding and objectionable provisions." Members of the clean water community continue to work with key members of Congress to prevent funding levels from falling to the President's budget request, however Democrats in Congress are working on a compromise omnibus spending bill including the budgets for EPA, departments of the Interior, Energy, Agriculture, Transportation and Commerce that could put some environmental programs such as the CWSRF at risk.

Currently, federal agencies are operating under a continuing resolution that funds programs at FY 2007 levels.

### **Farm Bill**

#### **FARM BILL LEGISLATION PASSES IN SENATE**

Legislation reauthorizing the 2002 Farm Bill for five more years with nearly \$5 billion more per year in funding for conservation programs was approved in October by the Senate Agriculture, Nutrition and Forestry Committee. Of interest to the clean water community are programs in the Farm Bill's conservation title designed to benefit water quality. The Regional Water Enhancement Program (RWEP), a new provision of the conservation title, lays the framework for funding conservation projects involving multiple stakeholders. Eligible projects include those involving water quality, quantity or conservation plans; groundwater recharge; stormwater capture; and other water quality-related activities. The Conservation title also includes a newly renamed Conservation Stewardship program and increases eligible enrollment in the Wetlands Reserve Program, the Environmental Quality Incentives Program and the Grassland Reserve Program. The Rural Development title includes funding for many programs including community facility development, rural water and sewer projects, broadband development and micro-enterprise loans and grants.

Consideration of the legislation has been delayed while Senate leaders hammer out a plan for dealing with amendments during floor debate. President Bush already threatened to veto the Farm Bill because he said it is too costly. And with time winding down on the first session of the 110th Congress, and the Senate working on a full slate of appropriations bills, climate change legislation and an alternative minimum (AMT) tax bill, prospects for a finalized Farm Bill in 2007 are uncertain. A continuing resolution was passed to keep the U.S. Department of Agriculture programs running until March 2008. House and Senate conferees will begin negotiations immediately but a final agreement is unlikely until early 2008.

## **Effluent Guidelines**

### **EPA RELEASES PRELIMINARY EFFLUENT GUIDELINES PLAN**

The [Preliminary 2008 Effluent Guidelines Program Plan](#) was released by the Environmental Protection Agency (EPA) in the October 30 *Federal Register*. The plan provides information and seeks comments about EPA's 2007 annual reviews of effluent limitation guidelines (ELGs) and pretreatment standards for both existing and non-regulated categories, as well as its preliminary plan for 2008.

The *Preliminary Plan* contains updates on the current detailed studies of four existing categories: Steam Electric Power Generating, Coal Mining, Oil and Gas Extraction, and Hospitals. The Hospitals category is included in a broader, detailed study on the Health Services Industry, which is a proposed new category including dental clinics, long-term care facilities, veterinary clinics and medical laboratories and diagnostic centers. This could potentially bring about 475,000 new dischargers into the pretreatment program.

EPA lists specific questions for each category and invites comments and information about the issues. EPA has identified Centralized Waste Treatment and Waste Combustors as two categories requiring preliminary category reviews in 2008. For the categories identified in 2006, EPA will also continue to review the Ore Mining and Dressing category, but is terminating study on the Textile Mills category. Comments are due to EPA by December 31, 2007.

## **Detergents**

### **EPA PREPARES TO LAUNCH SAFER DETERGENTS STEWARDSHIP INITIATIVE IN 2008**

EPA plans to launch the Safer Detergents Stewardship Initiative to encourage development and use of detergents that break down quickly into non-polluting compounds. These detergents do not contain nonylphenol ethoxylates, which are toxic to aquatic life. EPA intends to officially launch the program in spring 2008.

## **Climate Change**

### **SENATE EPW COMMITTEE APPROVES CLIMATE CHANGE BILL**

The America's Climate Security Act of 2007 (S. 2191) would cap emissions of greenhouse gases from power plants, certain manufacturing processes and petroleum refiners and other sectors of the economy. The bill was approved primarily along party lines, 11-8, with Senator Warner (R-VA) voting with the majority. Senator Warner is co-sponsoring the legislation with Senator Liberman (D-CT).

The bill aims to reduce total domestic emissions 18 to 25 percent below 2005 levels by 2020, and 62 to 66 percent by 2050. The bill also sets up a market-based emissions trading program. Under the proposed cap and trade program a portion of pollution allowances will be given to companies for free and the remainder will be sold at auction. The free allowances will be phased out in 2031. The bill also requires polluters to use a portion of their allowances to promote recycling projects. Additionally, the bill includes provisions doubling the financial incentives in the bill for states that change their utility regulatory programs to promote energy efficiency and broadens the states' ability to use their allowances to mitigate the economic impacts of the bill. Finally, the bill also includes additional funding for EPA and other federal agencies to implement the provisions of the Act.

It is unlikely that the bill will be considered by the full Senate before the holiday recess but Senate negotiators hope to schedule a vote on the bill early in 2008. Visit [www.apwa.net/advocacy](http://www.apwa.net/advocacy) for additional information or contact Julia Anastasio at [janastasio@apwa.net](mailto:janastasio@apwa.net).

# TRANSPORTATION

## Congestion

### **CONGESTION-REDUCTION DEMONSTRATION FUNDING AVAILABLE**

The U.S. Department of Transportation (DOT) is seeking applications for funding of metropolitan area congestion reduction demonstration (CRD) initiatives. DOT expects to award funding for proposals integrating innovative transit strategies, new transportation technologies and direct highway pricing during congested periods. DOT's strong preference is to fund road pricing demonstrations through this program, and priority will be given to applications that put forth bold and innovative road pricing proposals.

In return for jurisdictions' agreement to adopt these innovative transit, technology and pricing strategies, DOT will provide some combination of regulatory flexibility, dedicated expertise and personnel, and financial resources drawn from one or more of the Federal Highway Administration and Federal Transit Administration discretionary programs listed in this notice. Applications are due to DOT by December 31, 2007.

The CRD solicitation is similar to DOT's Urban Partnership Agreement (UPA) Program, under which the Department in August 2007 allocated approximately \$850 million to support innovative congestion reduction proposals in five metropolitan areas. However, it also differs from the UPA program in three key aspects. First, the CRD program removes the requirement – though it retains the option – for a formal partnership agreement between DOT and each selected community. Second, in comparison to the UPA program, the CRD application process has also been dramatically streamlined. CRD applicants must file only a single application for funding, and to the extent that their proposals are eligible for funding under multiple available discretionary programs, DOT will treat the single application as requesting funds from each of those programs. Finally, the criteria against which CRD applications will be reviewed do not include promotion of telecommuting/flex scheduling – a key component of UPAs.



Image courtesy of the APWA Jim Martin Public Works Photo Library at [www.apwa.net](http://www.apwa.net).

More information is available in the November 13 *Federal Register* under Transportation Department at [http://www.access.gpo.gov/su\\_docs/fedreg/a071113c.html](http://www.access.gpo.gov/su_docs/fedreg/a071113c.html).

## Transportation Policy

### **BIPARTISAN POLICY GROUP LAUNCHES TRANSPORTATION STUDY**

Former Senate Majority Leaders Howard Baker, Tom Daschle, Bob Dole and George Mitchell announced that the Bipartisan Policy Center (BPC) – a policy-driven organization founded by the four leaders last year – is establishing the National Transportation Policy Project, which will focus on creating a new, pragmatic vision for U.S. transportation policy. The project will be chaired by former Virginia Governor Mark Warner, former Washington Senator Slade Gorton and former New York Congressman Sherwood Boehlert. Additionally, the Project will include a diverse array of leaders from industry, academia, labor and non-profit organizations.

The Project's goal is to identify appropriate priorities for national infrastructure funding and work to develop politically viable policies that surmount partisan and regional conflicts. Project conclusions will be released in early 2009 in advance of reauthorization of SAFETEA-LU.

BPC's broad goal is to improve the civility and substance of political discourse by pursuing projects that are aggressively bipartisan and designed to have a real impact on a national policy debate. More information is posted at [www.bipartisanpolicy.org](http://www.bipartisanpolicy.org).

### **Work Zone Safety**

#### **FHWA ISSUES RULE TO SUPPLEMENT EXISTING REGS**

The Federal Highway Administration (FHWA) is adding a new subpart to supplement existing regulations governing work zone safety and mobility in highway and street work zones. The subpart will include conditions for the appropriate use of, and expenditure of funds for, uniformed law enforcement officers, positive protective measures between workers and motorized traffic, and installation and maintenance of temporary traffic control devices during construction, utility and maintenance operations.

The regulations are intended to decrease the likelihood of fatalities and injuries to road users, and to workers who are exposed to vehicles using the highway for purposes of travel while working on Federal-aid highway projects. The regulations were issued in accordance with SAFETEA-LU and became effective December 4.

More information about the regulations is available in the December 5 *Federal Register* under Federal Highway Administration, [http://www.access.gpo.gov/su\\_docs/fedreg/a071205c.html](http://www.access.gpo.gov/su_docs/fedreg/a071205c.html), or by contacting Chung Eng, FHWA Office of Transportation Operations, at (202) 366-8043.

## **INTERGOVERNMENTAL**

### **Appropriations**

On Dec. 13, Congress approved a one-week continuing resolution to keep the federal government operating through Dec. 21 in order to provide more time for Congress to vote on an omnibus spending package incorporating 11 unfinished fiscal year 2008 appropriations bills. The omnibus is expected to be considered early the week of Dec. 17.

Congress passed just one appropriations bill, the Defense Appropriations, and funded federal programs through a series of stop-gap measures since Oct. 1, the start of the fiscal year.

President Bush threatened to veto an omnibus bill that exceeded his proposed discretionary spending levels. After intense negotiations, Congressional leaders agreed to cut total proposed spending in the omnibus by \$22 billion and accepted the President's \$933 billion ceiling.

An omnibus bill, if passed, would include Appropriations bills funding the Department of Homeland Security, the Environmental Protection Agency, the U.S. Department of Transportation and other federal agencies.

Please check the Advocacy section of APWA's Web site for updates.

***APWA Washington Report contributors include Julia Anastasio, Maggie Doucette, Jim Fahey and Dan Jensen. Becky Wickstrom is editor of the Report.***