

Mid-Atlantic Watersheds Update

Northeast-Midwest Institute
January 2010

Welcome to the Mid-Atlantic Watersheds Update from the Northeast-Midwest Institute. These monthly updates will provide relevant news clippings, policy and Capitol Hill updates, and other helpful information. We are aware that brevity is always appreciated, so links are included for further information.



NEWS

People:

- **Senate** – Martha Coakley, former Massachusetts Attorney General, [won](#) the Democratic primary for the special election to be held on January 19 to fill the former Senator Kennedy's seat. She will be challenged by Republican state Senator Scott Brown.
- **Senate** – In mid-December, Senate Agriculture Committee Chairwoman Blanche Lincoln (AR) and Ranking Member Saxby Chambliss (GA) [announced](#) that Senator Debbie Stabenow (MI) will take over as chairwoman of the Rural Revitalization, Conservation, Forestry and Credit Subcommittee. Senator Lincoln [took over](#) the chairmanship of the Senate Agriculture Committee following the departure of Senator Tom Harkin (IA) to the Senate Health, Education, Labor and Pensions Committee.
- **EPA** – Robert [Perciaspe](#) was confirmed by the Senate on December 24 as Deputy Administrator at the EPA.

EPA:

- **Stormwater** – On December 12, the EPA [released guidance](#) that will assist federal agencies in mitigating the impact of stormwater flowing from federal development projects on adjacent waters.
- **Water Research** – On December 18, the EPA [released](#) its National Water Research Strategy. The [document](#) outlines research needs as well as engagement of partners in the science of the water program and the development of “regulatory and non-regulatory management tools and decisions.”
- **Marcellus Shale** – On December 30, the EPA submitted [comments](#) on a New York state draft environmental

impact statement on horizontal drilling and hydraulic fracturing in the Marcellus Shale.

- **Enforcement** – The EPA recently [released](#) enforcement results for fiscal year 2009, as well as a new interactive [mapping tool](#) to help the public obtain location-specific pollution enforcement information.

Executive Order: Throughout December, the EPA continued to hold public meetings and briefings on both the Chesapeake Bay [strategy](#) and [TMDL](#) efforts. Several of the meetings can be viewed from the above-linked websites.

- In early January, the Chesapeake Executive Council [will reportedly meet](#) to discuss progress on meeting the goals of the 2009 Executive Order and to possibly elect EPA Administrator Lisa Jackson chair of the council.
- On December 29, the EPA sent a [letter](#) to the Bay states and the District [outlining](#) enforcement and accountability measures for future Chesapeake restoration work, which [includes](#) accountability for two-year milestones set for 2011. Additionally, the EPA has announced that it will provide technical assistance and an additional \$11.2 million in grants for fiscal year 2010 to help with pollution control, more than doubling 2009 funding levels.

Superfund: On December 3, the EPA held a [public meeting](#) to discuss the cleanup and possible listing of the [Gowanus Canal](#) in New York City on the Superfund National Priorities List.

For questions, further information, or to be added or removed from this distribution list, please contact

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CEQ: On December 3, the Obama Administration's Council on Environmental Quality [released](#) "[Principles and Guidelines](#)" for water resources planning to be used by federal agencies in formulating, evaluating, and implementing water resource projects. [Public comments](#) are currently being accepted

Studies, Reports:

- The EPA recently [released](#) the results of its first baseline [survey](#) of the nation's lakes, which found that more than half are in "good biological condition." More than 1,000 lakes were studied; degraded shoreline habitat was the most prevalent problem.

- On December 23, New York's Department of Environmental Protection [released](#) a study that details the impact of gas drilling and hydraulic fracturing in the Marcellus Shale on the watershed that provides drinking water for many residents of New York City.
- A [report](#) published in the journal Nature analyzes the "velocity of climate change," the adaptation needs for various ecosystems and species in the face of temperature changes.

Conferences/Meetings: The Choose Clean Water Coalition will hold its first Chesapeake Bay Restoration [Conference](#) January 10 – 12 in Washington, DC.

LEGISLATION IN BRIEF

Water and Wildlife Bills:

- **USDA/Watersheds:** Under the Watershed Protection and Flood Prevention Act, USDA watershed projects that cost more than \$5 million require Congressional review. On December 16, the Senate Agriculture Committee approved authorization for projects in West Virginia and Massachusetts. The House Agriculture Committee has already approved the projects.
- **Wildlife Stamp:** On December 7, the House passed a bill ([H.R. 1454](#)) that would establish a postal stamp program that would help bolster the U.S. Fish & Wildlife Service's Multinational Species Conservation Fund.
- **USACE Permits:** The House passed a bill ([H.R. 4165](#)) on December 8 that would allow local governments to financially contribute to U.S. Army Corps of Engineers permit reviews for an additional year. The Senate passed the bill on December 10, and the president signed it on December 22.
- **EPW:** On December 10, the Senate Environment and Public Works Committee passed several bills, including:
 - [S. 1214](#) that authorizes a new fish habitat program in the Interior Department at \$75 million.
 - [S. 1519](#) to give the Interior Department greater control over nutria populations in the Mid-Atlantic and Louisiana, and will now include Delaware and Virginia in eradication efforts.
 - [H.R. 3433](#) to allow greater Canadian matching fund contributions toward North American

Wetlands Conservation Act projects. The bill passed the House in October.

- [H.R. 2188](#) to formally authorize the U.S. Fish & Wildlife Service's Joint Venture Programs, which functions as a partnership to conserve bird habitat. The bill passed the House in July.
- [H.R. 3537](#) that reauthorizes the Junior Duck Stamp Program, which provides for youth education in wetlands stewardship. The bill passed the House in October.

Chesapeake Bay: On December 9, the Conservation, Credit, Energy, and Research Subcommittee of the House Agriculture Committee held a [hearing](#) to [gather testimony](#) on the potential impact of the new federal cleanup strategy and pending legislation ([H.R. 3852](#); [S. 1816](#)) on agriculture in the Chesapeake Bay watershed.

Jobs Bill: In late December ([H.R. 2847](#)), the House passed a bill that is intended to create jobs and boost the economy, in part through using remaining Troubled Asset Relief Program. A portion of the bill—about \$48 billion—is to be used for infrastructure spending, some of which is dedicated to clean water efforts (\$1 billion each for Clean Water and Drinking Water State Revolving Funds). The bill also extends current transportation legislation through September 2010. The Senate has not yet taken up a jobs package, but is expected in early January.

Budget and Appropriations: As the second Continuing Resolution drew near, Congress moved quickly to finish appropriations work. An omnibus measure was approved by the House on December 10, and agreed to in the Senate on December 13. The Defense spending measure was sent to the President on December 19, thereby wrapping up appropriations work for FY10.

OMNIBUS – The conference [report](#) for the omnibus appropriations bill ([H.R. 3288](#)) includes provisions for six of the seven FY2010 appropriations: Transportation-HUD; Commerce-Justice-Science; Financial Services; Labor-HHS; Military Construction-VA; and State-Foreign Operations.

- CJS (NOAA): The National Oceanic and Atmospheric Administration [received](#) its largest budget ever—\$4.7 billion—through the FY10 omnibus measure. The National Ocean Service will receive \$522 million, and National Marine Fisheries will receive \$905 million. Significant boosts are also given to climate and weather programs. The CJS bill also includes:
 - \$200,000 for the Delaware River Basin flood warning system
 - \$500,000 for the Alliance for Coastal Technologies—Chesapeake Biological Laboratories
 - \$3 million for NOAA oyster restoration in Maryland and Virginia

DEFENSE – The \$636 billion spending bill ([H.R. 3326](#)) for the Department of Defense includes an environmental remediation measure which provides \$1.5 billion for cleanup at Department of Defense facilities.

FY2011: Some thoughts are already turning to the next round of budget and appropriations, and on December 17, eight Senators sent a [letter](#) to President Obama requesting funding for Chesapeake restoration be made a priority in FY11.

The House is in recess until January 12, 2010. The Senate returns on January 5, 2010 (pro forma only – will return to voting on January 19).

*Also check out the **NEW** Northeast-Midwest Institute [website](#) – we will soon post more information on relevant appropriations earmarks and include FY2010 appropriations charts.*



Photo: Rachel Dawson