



U.S. ARMY

Western Review of Legislative & Regulatory Actions Region 10



The U.S. Army Regional Environmental & Energy Office

May 2014

The **WESTERN REGION 10 REVIEW** provides current information on natural resource, energy and environmental issues relevant to Department of Defense interests in the 4 states that comprise Federal Region 10. The Review is intended to be a tool useful to DoD and Army leaders, planners, and program managers in carrying out their responsibilities. The Region 10 Western Review monitors and targets proposed and final regulations and legislation that may affect Army or DoD operations. To receive a copy of this electronic publication, send an email request to nancy.l.reese2.ctr@mail.mil.



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2014 Region 10 Legislative Wrap Up

In 2014, the REEO-W monitored and tracked 485 state bills in Region 10. Noteworthy bills signed into law that may be of interest to or impact DoD installations are summarized below.

Idaho The Idaho Legislature adjourned in March 2014. Bills normally take effect 1 JUL 14.

ID HB 406 (signed 7 Mar 14) HB 406 includes a provision authorizing the Idaho Department of Environmental Quality (IDEQ) to pursue federal approval of a state administered National Pollutant Discharge Elimination System (NPDES) permitting program.

Possible Impact: If the Environmental Protection Agency (EPA) delegates to Idaho the authority to operate the complete NPDES program, military installations will be required to obtain subsequent NPDES permits from IDEQ. Idaho may implement requirements that are more stringent than the federal NPDES program.

Washington The Washington Legislature adjourned in March 2014. Bills normally take effect in July 2014.

WA HB 2454 (signed 27 Mar 14) HB 2454 requires the state conservation commission, in partnership with the Washington Department of Ecology (WADOE), to explore whether there are potential buyers and sellers in Washington watersheds for a water quality trading program.

Possible Impact: If a trading program as described in HB 2454 is implemented, it may allow a military installation, which faces higher pollution control costs, to meet its regulatory obligations by purchasing environmentally equivalent or superior pollution reductions from another source at a lower cost.

WA SB 6199 (signed 27 Mar 14) The purpose of SB 6199 is to address wildfires caused by incendiary devices. The bill prohibits, with certain exceptions, the use of incendiary ammunition, sky lanterns, or exploding targets on or over any forest, brush, range, or grain areas during certain times.

Possible Impact: Training and testing missions on nonfederal land may be impacted by these new prohibitions. Installations should review the text of the legislation and determine if prohibitions or exemptions apply to their activities.

Region 10

For more information on any state issues in Region 10, contact [Park Haney](#), Acting Region 10 Environmental Coordinator (303) 844-0957.

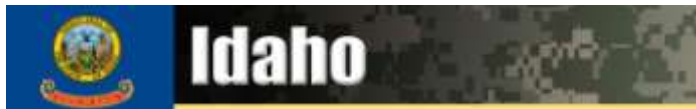


LEGISLATIVE DEVELOPMENTS

The [Alaska 2014 legislative session](#) began 21 JAN 14 and adjourned 25 APR 14.

<i>Alaska Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
HB 163 <i>Representative Tammie Wilson (R)</i> Proposes to prohibit the burning of certain materials in a solid fuel burning device and amend solid fuel burning device emission standards.	✓			Failed upon adjournment
ENERGY				
LAND USE				
HB 77 <i>Rules Committee</i> Proposes to amend the Alaska Land Use Act. Addresses authorizations, contracts, leases, and permits; disposal of state land, resources, property or interests; and exchange of state land. Allows for a study to develop and operate a hydroelectric dam.	✓	✓		Failed upon adjournment
HB 123 <i>Representative Peggy Wilson (R)</i> Proposes to create the Alaska Transportation Panel and amend various funds related to local transportation, motor fuel taxes, motor vehicle registration fees, driver's license fees, and other fees/taxes related to motor vehicles.	✓			Failed upon adjournment
NATURAL RESOURCES				
HB 89 <i>Representative Paul K. Seaton (R)</i> Proposes to establish provisions relating to the rapid response to, and control of, aquatic invasive species. Establishes the Aquatic Invasive Species Response Fund.	✓			Failed upon adjournment
OTHER				
HB 201 <i>Representative Les Gara (D)</i> Proposes to amend rules governing the application of non-aerial pesticides and broadcast chemicals near fish habitat or water and in public places.	✓			Failed upon adjournment

<i>Alaska Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
HB 224 <i>Representative Harriet Drummond (D)</i> Proposes to limit the application of neonicotinoid pesticides.	✓			Failed upon adjournment
WASTE				
WATER				



LEGISLATIVE DEVELOPMENTS

The [Idaho 2014 legislative session](#) began 6 JAN 14 and adjourned 20 MAR 14. For information about legislation in 2014, refer to the [April 2014](#) edition of the Review.



LEGISLATIVE DEVELOPMENTS

The [Oregon 2014 legislative session](#) began 3 FEB 14 and adjourned 7 MAR 14. For information about legislation in 2014, refer to the [April 2014](#) edition of the Review.



NATURAL RESOURCES

STATE ENVIRONMENTAL POLICY ACT WADOE [adopted amendments](#) to portions of the Washington [State Environmental Policy Act](#) (SEPA), Chapter 197-11 Washington Administrative Code (WAC). The [amendments](#) repeal SEPA Model Ordinance, Chapter 173-806 WAC and provide this information in the form of guidance. This action also repeals Public Records, Chapter 197-06 WAC because it is out of date. Sections of the rule relating to public records are superseded by Chapter 173-03 WAC. The [final amendments](#) were effective 10 MAY 14. For more information, contact [Fran Sant](#) at (360) 407-6004 or visit the [rulemaking website](#).

TOXICS

RESTRICTED USE PESTICIDES The Washington Department of Agriculture [adopted final amendments](#) that exempt liquid formulations of ready-to-use phenoxy hormone-type herbicides from being declared state restricted use pesticides. Currently, only dry formulation, small container phenoxy hormone-type herbicide distributed for in-home use is exempt from designation as state restricted use. The final rule adds ready-to-use liquid formulations to the list of exempted products. The final rule was effective 3 MAY 14. For more information, contact Cliff Weed at (360) 902-2036.

WASTE

LOW-LEVEL RADIOACTIVE WASTE PROGRAM MANAGEMENT WADOE transferred authority for management of Low-Level Radioactive Waste (LLW) to the Washington Department of Health. As part of this action WADOE repealed Chapter 173-325 WAC (Low-Level Radioactive Waste Disposal) and Chapter 173-326 WAC (Commercial Low-Level Radioactive Waste Disposal) because it no longer manages this program. For more information, visit the Department of Health [website](#).

WATER

WATER TREATMENT PLANT GENERAL PERMIT WADOE is [proposing](#) to re-issue its water treatment plant NPDES waste discharge general permit (Water Treatment Plant General Permit). The department released the [proposed permit](#) and a [draft fact sheet](#) for public comment. In addition, a [draft focus sheet](#) provides an explanation of substantive changes from the existing permit. The Water Treatment Plant General Permit provides coverage for certain water treatment plants located in Washington state that produce potable or industrial supply water and discharge backwash effluent from certain water treatment filtration processes. The existing permit expires August 2014. This new permit will be effective 1 SEP 14. A public workshop is scheduled for 14 MAY 14. Comments are due 31 MAY 14. For more information, visit the [General Permit website](#).

LEGISLATIVE DEVELOPMENTS

The [Washington 2014 legislative session](#) began 13 JAN 14 and adjourned 13 MAR 14.

<i>Washington Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
HB 1169 <i>Representative Matt Shea (R)</i> Proposes to establish the Washington State Energy Freedom Act. Prohibits state agencies from implementing a cap and trade system, regulating motor vehicle fuel economy, or otherwise addressing greenhouse gas emissions without direct and specific legislative authority to conduct the activity.	✓			Failed
HB 1915 <i>Representative Dave Upthegrove (D)</i> Proposes to require the Governor hire an independent organization to prepare an evaluation of approaches to reduce greenhouse gas emissions. Creates the climate legislative and executive work group to recommend a state program of actions and policies to reduce greenhouse gas emissions.	✓			Failed
SB 5321 <i>Senator Doug Ericksen (R)</i> Proposes to harmonize state greenhouse gas reporting requirements with federal requirements.	✓			Failed
SB 5408 <i>Senator Doug Ericksen (R)</i> Proposes to provide exclusions for the definition of "nonpower attributes" for purposes of the Energy Independence Act.	✓	✓		Failed
SB 5796 <i>Senator Mark G. Schoesler (R)</i> Proposes to address the requirements of emergency engines and backup generators for use at hospitals, sewage treatment plants, data centers, and other vital public services.	✓			Failed

<i>Washington Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
ENERGY				
HB 1106 <i>Representative John R. McCoy (D)</i> Proposes to exclude a third-party owner of a customer-sited renewable energy facility from the definition of "electrical company" for purposes of net metering. Changes the cumulative generating capacity available to net metering systems. Changes meter aggregation for customer-generators participating in certain generating facilities. Companion bill is SB 5707.	✓			Failed
HB 1193 <i>Representative J.T. Wilcox (R)</i> Proposes to require an applicant of a permit to construct a wind turbine to provide notice of the application to adjacent landowners.	✓			Failed
HB 1289 <i>Representative Jeff Morris (D)</i> Proposes to allow a qualifying utility to count electricity dispatched from an energy storage facility at 2.5 times the facility's output, under certain conditions.	✓			Failed
HB 1296 <i>Representative Jeff Morris (D)</i> Proposes to require an electric utility's integrated resource plan to include an assessment of energy storage systems on the utility and distributed generation scale.	✓			Failed
HB 1347 <i>Representative Shelly Short (R)</i> Proposes to authorize a qualifying utility to use certain eligible renewable resources to meet its annual targets. Prohibits the utility from transferring or selling these eligible renewable resources to another utility.	✓			Failed
HB 1374 <i>Representative Jeff Morris (D)</i> Proposes to change the composition and duties of the Energy Facility Site Evaluation Council. Removes the military department from membership in the council.	✓	✓		Failed
HB 1663 <i>Representative Steve Tharinger (D)</i> Proposes to delay the expiration of the sales and tax use exemption for "hog fuel" (i.e., woody biomass) used to produce electricity, steam, heat, or biofuel.	✓	✓		Failed
HB 1977 <i>Representative Dave Upthegrove (D)</i> Proposes to declare state policy to promote deployment of distributed solar energy generation using current state policies and regulatory mechanisms, rather than ratepayer subsidies.	✓			Failed
HB 2059 <i>Representative Jeff Morris (D)</i> Proposes to require the Utilities and Transportation Commission to allow customers to purchase voluntarily eligible renewable resources.	✓			Failed
HB 2176 <i>Representative Jeff Morris (D)</i> Proposes to allow an electric utility or vendor to offer low-cost loan/lease program that provides all customers access to renewable energy systems on their property.	✓			Failed
HB 2183 <i>Representative Jeff Morris (D)</i> Proposes to require the Joint Committee on Energy Supply and Conservation to make recommendations to the legislature to establish new renewable energy and energy efficiency goals for utilities.	✓	✓		Failed

<i>Washington Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
HB 2223 <i>Representative Gael Tarleton (D)</i> Proposes to revise the definition of "qualified alternative energy resource" to include electricity or thermal energy produced from generation facilities that are fueled by biomass energy based on liquid organic fuels from wood, forest, or field residues. Companion bill is SB 6021.	✓			Failed
SB 5707 <i>Senator Kevin Ranker (D)</i> Proposes to exclude a third-party owner of a customer-sited renewable energy facility from the definition of "electrical company" for purposes of net metering. Changes the cumulative generating capacity available to net metering systems. Changes meter aggregation for customer-generators participating in certain generating facilities. Companion bill is HB 1106.	✓			Failed
SB 5896 <i>Senator Steve Hobbs (D)</i> Proposes to delay the expiration of renewable energy sales and use tax exemption for an additional four years.	✓			Failed
SB 6021 <i>Senator Doug Ericksen (R)</i> Proposes to revise the definition of "qualified alternative energy resource" to include electricity or thermal energy produced from generation facilities that are fueled by biomass energy based on liquid organic fuels from wood, forest, or field residues. Companion bill is HB 2223.	✓			Failed
LAND USE				
HB 1158 <i>Representative Steve Kirby (D)</i> Proposes to authorize The Adjutant General (TAG) to file a petition to have real property owned by the state for military purposes annexed to a city or town if that property constitutes the whole of the property in the annexation petition. Companion bill is SB 5068.	✓	✓		Failed
HB 2268 <i>Representative David Taylor (R)</i> Proposes to create a joint task force to make recommendations for the transfer of federal lands to state control.	✓			Failed
SB 5011 <i>Senator Don Benton (R)</i> Proposes to prohibit the state and all political subdivisions from adopting and developing environmental and developmental policies that infringe or restrict private property rights without due process.	✓			Failed
SB 5068 <i>Senator Steve Conway (D)</i> Proposes to authorize The Adjutant General (TAG) to file a petition to have real property owned by the state for military purposes annexed to a city or town if that property constitutes the whole of the property in the annexation petition. Companion bill is HB 1158.	✓			Failed
NATURAL RESOURCES				
HB 1191 <i>Representative Shelly Short (R)</i> Proposes to allow the taking of a wolf under certain conditions without a permit. Makes rule applicable across all public and private lands where livestock are found. Companion bill is SB 5187.	✓			Failed
HB 1244 <i>Representative Derek Stanford (D)</i> Proposes to clarify the Department of Natural Resources' authority to enter into cooperative agreements. Addresses watershed management.	✓	✓		Failed

<i>Washington Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
HB 1258 <i>Representative Joel A. Kretz (R)</i> Proposes to allow wolves to be relocated from one area of the state to another, subject to certain conditions.	✓			Failed
HB 1337 <i>Representative Joel A. Kretz (R)</i> Proposes to prohibit the Fish and Wildlife Commission from classifying the gray wolf as endangered or threatened in any area of the state where a similar listing is not simultaneously in effect for the same species under the federal Endangered Species Act.	✓			Failed
HB 2458 <i>Representative Drew MacEwen (R)</i> Proposes to provide authority for the Department of Fish and Wildlife to develop an integrated invasive species management program. Companion bill is SB 6040.	✓			Failed
HB 2724 <i>Representative Lilian Ortiz-Self (D)</i> Proposes to exempt from disclosure certain information related to historical archaeological resources, traditional cultural places, or archaeological resources. Companion bill is SB 6480.	✓	✓	✓	Signed by Governor
SB 5187 <i>Senator John Smith (R)</i> Proposes to allow the taking of a wolf under certain conditions without a permit. Makes rule applicable across all public and private lands where livestock are found. Companion bill is HB 1191.	✓	✓		Failed
SB 6040 <i>Senator Jim Honeyford (R)</i> Proposes to provide authority for the Department of Fish and Wildlife to develop an integrated invasive species management program. Companion bill is HB 2458.	✓	✓	✓	Signed by Governor
SB 6480 <i>Representative John R. McCoy (D)</i> Proposes to exempt from disclosure certain information related to historical archaeological resources, traditional cultural places, or archaeological resources. Companion bill is HB 2724.	✓			Failed
OTHER				
HB 1010 <i>Representative Sherry V. Appleton (D)</i> Proposes to remove an exclusion that allowed the wholesale of bulk containers (55 gallons or greater) of antifreeze without an aversive agent.	✓	✓		Failed
HB 1110 <i>Representative David Taylor (R)</i> Proposes to require employers to comply with certain federal respirator requirements for asbestos abatement projects.	✓			Failed
HB 1163 <i>Representative David Taylor (R)</i> Proposes to impose a general moratorium on state agency rulemaking. Establishes the Regulatory Freedom and Accountability Act and revises the State Administrative Procedure Act.	✓			Failed
HB 1434 <i>Representative Gerry Pollet (D)</i> Proposes to promote community involvement in environmental decision-making.	✓			Failed

<i>Washington Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
HB 2427 <i>Representative Brian Blake (D)</i> Proposes to prohibit discharging an incendiary ammunition, releasing a sky lantern, or detonating an exploding target on or over any forest, brush, range, or grain area during certain times of the year. Companion bill is SB 6199.	✓			Failed
SB 5255 <i>Senator Maralyn Chase (D)</i> Proposes to require agencies to implement environmental quality and public health policies.	✓			Failed
SB 6199 <i>Senator John Braun (R)</i> Proposes to prohibit, with certain exceptions, discharging an incendiary ammunition, releasing a sky lantern, or detonating an exploding target on or over any forest, brush, range, or grain area during certain times of the year. Companion bill is HB 2427.	✓	✓	✓	Signed by Governor
WASTE				
HB 1364 <i>Representative Steve Tharinger (D)</i> Proposes to create the used battery stewardship account to implement voluntary programs to collect and recycle used small rechargeable batteries. Companion bill is SB 5457.	✓	✓		Failed
HB 1444 <i>Representative Sam Hunt (D)</i> Proposes to establish a product stewardship program for the disposal of mercury-containing lights. Addresses funding of stewardship program.	✓			Failed
HB 1579 <i>Representative Roger Goodman (D)</i> Proposes to create an architectural paint recovery program. Requires paint manufacturers to assume responsibility for development and implementation of a cost-effective paint stewardship program. Creates the paint product stewardship account. Companion bill is SB 5424.	✓			Failed
HB 2072 <i>Representative Matt Manweller (R)</i> Proposes to establish requirements for county compostable waste collection programs.	✓			Failed
HB 2246 <i>Representative Sam Hunt (D)</i> Proposes to make changes to the product stewardship program for mercury-containing lights to provide for a sustainable funding mechanism. Companion bill is SB 6177.	✓	✓	✓	Signed by Governor
SB 5252 <i>Senator Maralyn Chase (D)</i> Proposes to prohibit food service businesses from selling or providing food in expanded polystyrene food service products. Prohibits disposable plastic food service ware.	✓			Failed
SB 5253 <i>Senator Maralyn Chase (D)</i> Proposes to prohibit a retail store from providing a carryout bag to a consumer unless the carryout bag is compostable plastic, recyclable, or reusable.	✓			Failed

<i>Washington Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
<p>SB 5424 <i>Senator Maralyn Chase (D)</i> Proposes to create an architectural paint recovery program. Requires paint manufacturers to assume responsibility for development and implementation of a cost-effective paint stewardship program. Creates the paint product stewardship account. Companion bill is HB 1579.</p>	✓			Failed
<p>SB 5457 <i>Senator Sharon Nelson (D)</i> Proposes to create the used battery stewardship account to implement voluntary programs to collect and recycle used small rechargeable batteries. Companion bill is HB 1364.</p>	✓			Failed
<p>SB 6177 <i>Senator Steve Litzow (R)</i> Proposes to make changes to the product stewardship program for mercury-containing lights to provide for a sustainable funding mechanism. Companion bill is HB 2246.</p>	✓			Failed
WATER				
<p>HB 1179 <i>Representative Dawn Morrell (D)</i> Proposes to allow counties to adopt alternative procedures for the collection of sewer charges. Companion bill is SB 5218.</p>	✓	✓		Failed
<p>HB 1196 <i>Representative Bruce Chandler (R)</i> Proposes to implement an integrated water resource management plan in the Yakima river basin.</p>	✓			Failed
<p>HB 1234 <i>Representative Liz Pike (R)</i> Proposes to reissue without modification for a term of two years, phase I national pollutant discharge elimination system municipal stormwater general permits in effect on 1 SEP 12. Modifies the date that updated permits become effective from 1 AUG 13 to 1 AUG 15.</p>	✓			Failed
<p>HB 1237 <i>Representative Liz Pike (R)</i> Proposes to require the Department of Ecology to conduct a pilot project to evaluate net environmental effects of an alternative approach to municipal stormwater management and verify the approach satisfies state/federal law. Companion bill is SB 5435.</p>	✓			Failed
<p>HB 1350 <i>Representative Bruce Chandler (R)</i> Proposes to address future development criteria with regard to exempt well withdrawals to allow better allocation of water resources.</p>	✓			Failed
<p>HB 1375 <i>Representative Brian Blake (D)</i> Proposes to allow local governments to consolidate a new exempt withdrawal of groundwater into an existing public water system. Companion bill is SB 5200.</p>	✓			Failed
<p>HB 1414 <i>Representative Bruce Chandler (R)</i> Proposes to implement the integrated water resource management plan in the Yakima river basin.</p>	✓			Failed
<p>HB 1438 <i>Representative Vincent Buys (R)</i> Proposes to require the Department of Ecology to establish a process to account for changes in water rights. Companion bill is SB 5199.</p>	✓			Failed

<i>Washington Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
HB 1548 <i>Representative Brian Blake (D)</i> Proposes to revise the Department of Ecology's process for amendments to water right change applications. Moves the point of withdrawal to reduce potential surface water impacts. Companion bill is SB 5463.	✓			Failed
HB 1549 <i>Representative Brian Blake (D)</i> Proposes to revise the Department of Ecology's process for amendments to water right change applications. Consolidates the annual quantities of those water rights held by the applicant. Companion bill is SB 5462.	✓			Failed
HB 2454 <i>Representative Brian Blake (D)</i> Proposes to require the State Conservation Commission, in partnership with the Department of Ecology, to explore options for developing a water quality trading program.	✓	✓	✓	Signed by Governor
HB 2472 <i>Representative Joel A. Kretz (R)</i> Proposes to require determinations made by the Department of Ecology to be based on a preponderance of actual site-based, source-specific environmental testing. Companion bill is SB 6288.	✓			Failed
HB 2620 <i>Representative Joel A. Kretz (R)</i> Proposes to require the Washington Department of Health to seek to enhance potable water supply by encouraging treatment of raw groundwater sources where they exceed maximum contaminant levels.	✓			Failed
SB 5071 <i>Senator Jerome L. Delvin (R)</i> Proposes to extend the time period permitted to put water to beneficial use.	✓			Failed
SB 5199 <i>Senator Doug Ericksen (R)</i> Proposes to require the Department of Ecology to establish a process to account for changes in water rights. Companion bill is HB 1438.	✓	✓		Failed
SB 5200 <i>Senator Brian Hatfield (D)</i> Proposes to allow local governments to consolidate a new exempt withdrawal of groundwater into an existing public water system. Companion bill is HB 1375.	✓	✓		Failed
SB 5218 <i>Senator Bruce Dammeier (R)</i> Proposes to allow counties to adopt alternative procedures for the collection of sewer charges. Companion bill is HB 1179.	✓			Failed
SB 5219 <i>Senator Jim Honeyford (R)</i> Proposes to establish a process to retain water rights when they are no longer used on state purchased lands and to make the water rights available for alternate uses by local economies rather than be permanently lost to the economy of the area through relinquishment.	✓	✓		Failed
SB 5326 <i>Senator Ann Rivers (R)</i> Proposes to delay new stormwater discharge permitting requirements and to extend current permits for a period of three years.	✓			Failed
SB 5407 <i>Senator Doug Ericksen (R)</i> Proposes to require the Department of Ecology to provide for electronic filing of pollutant discharge elimination permit system applications, updates and revisions thereof, and data reporting.	✓	✓		Failed

<i>Washington Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
<p>SB 5435 <i>Senator Annette Cleveland (D)</i> Proposes to require the Department of Ecology to conduct a pilot project to evaluate net environmental effects of an alternative approach to municipal stormwater management and verify the approach satisfies state/federal law. Companion bill is HB 1237.</p>	✓			Failed
<p>SB 5462 <i>Senator Jim Honeyford (R)</i> Proposes to revise the Department of Ecology’s process for amendments to water right change applications. Consolidates the annual quantities of those water rights held by the applicant. Companion bill is HB 1549.</p>	✓			Failed
<p>SB 5463 <i>Senator Jim Honeyford (R)</i> Proposes to revise the Department of Ecology’s process for amendments to water right change applications. Moves the point of withdrawal to reduce potential surface water impacts. Companion bill is HB 1548.</p>	✓			Failed
<p>SB 5836 <i>Senator Jim Honeyford (R)</i> Proposes to authorize the use of permit exempt wells as long as the basin is not closed to further appropriation of groundwater.</p>	✓			Failed
<p>SB 6288 <i>Senator Brian Dinsel (R)</i> Proposes to require determinations made by the Department of Ecology to be based on a preponderance of actual site-based, source-specific environmental testing. Companion bill is HB 2472.</p>	✓			Failed

Department of Defense Activity

2014 SECRETARY OF DEFENSE ENVIRONMENTAL AWARDS DoD [announced](#) the winners of the 2014 Secretary of Defense Environmental Awards. The winners are:

- Natural Resources Conservation, Small Installation: [Marine Corps Base Hawaii](#) – demonstrated the innovative use of limited funding to protect the environment while accomplishing their mission.
- Natural Resources Conservation, Individual/Team: [Eglin Air Force Base, Florida, Natural Resources Team](#) – offered long-range solutions that ensured regulatory compliance while maximizing the use of land and water ranges to maintain mission readiness.
- Environmental Quality, Non-Industrial Installation: [Fort Hood, Texas](#) – led the way in environmental quality innovation and proactive community interaction, partnerships, and training.
- Environmental Quality, Individual/Team: [Environmental Quality Team, Minnesota National Guard](#) – employed cross-functional expertise in resource protection and conservation, with special attention to informational training and stakeholder involvement.
- Sustainability, Industrial Installation: [Naval Weapons Station Seal Beach, California](#) – exceeded goals in energy reduction, water conservation, recycling, eliminating hazardous waste, and implementing low impact development projects demonstrating innovative approaches to sustainability in the face of economic challenges.

- Environmental Restoration, Individual/Team: [Naval Air Station Cecil Field, Florida BRAC Cleanup Team](#) – achieved environmental excellence through its quick, innovative, and timely responses to environmental restoration efforts.
- Cultural Resources Management, Installation: [Fort Wainwright, Alaska](#) – successfully ensured that its lands remain available and in good condition not only to support its mission but also to preserve the cultural history that is inherent to Fort Wainwright's heritage.
- Environmental Excellence in Weapon System Acquisition, Large Program Individual/Team: [Air Force Life Cycle Management Center F-35 Environmental, Safety and Occupational Health Support Team, Wright-Patterson Air Force Base, Ohio](#) – increased efficiencies in aircraft development, project prioritization, resource access, and other critical mission areas that contribute to their environmental and overall excellence in weapon system acquisition.

ENERGY

FARS: PHOTOVOLTAIC DEVICES DoD adopted as final an interim rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to clarify rules of origin for photovoltaic devices used under DoD contracts ([79 FR 22041](#)). The [interim rule](#), published 20 DEC 13, was adopted without change, effective 21 APR 14. For more information, contact Amy Williams at (571) 372-6106.

DoDI FOR ENERGY POLICY Department of Defense Instruction (DoDI) [4180.01, DoD Energy Policy](#), was reissued 16 Apr 14. The DoDI establishes policy and guidance and assigns responsibilities for energy planning, use, and management for the DoD. The DoDI states it is policy to:

- Improve the energy performance of weapon systems, platforms, equipment and products and their modifications;
- Diversify and expand energy supplies and sources (including renewable energy sources and alternative fuels);
- Ensure energy analyses are included in DoD requirements, acquisition, and planning, programing, budeting and execution (PPBE) processes;
- Assess and manage energy-related risks to operations, training and testing, to include assets, supporting infrastructure, equipment, supplies, platforms, and personnel;
- Develop and acquire technologies that meet DoD energy needs and manage risks, utilize appropriate resources and energy expertise in other governmental organizations and the private sector; and
- Educate and train personnel in valuing energy as a mission essential resource.

NAVY MOVES RENEWABLE ENERGY TARGET In April 2014, the Navy [moved](#) its goal for generating 1 gigawatt of renewable energy to power its installations to 2016. The Navy also established an interim goal to generate 500 megawatts of renewable energy by 2015. This action is intended to reinvigorate the [Navy's 1 Gigawatt Task Force](#) established in 2012 to carry out renewable energy projects across the service. In April 2012, all three services announced they each would strive to produce one gigawatt of renewable energy at their installations. At the time, the Army and Navy set 2020 as their deadline, while the Air Force set its deadline as 2016.

FORT CARSON MAKES TOP TEN FEDERAL GREEN POWER USERS The Environmental Protection Agency (EPA) [published](#) its top ten federal users of green power among federal government organizations. With 39 percent of its total power use attributed to green sources, Fort Carson earned the fourth place federal government spot, using almost 81.7 million kilowatt hours (kWh).

FORT HUACHUCA TO DEVELOP LARGEST SOLAR ARRAY ON A MILITARY INSTALLATION The Army [started development](#) of a solar array that will provide about 25 percent of the annual installation electricity requirement of Fort Huachuca. A ground breaking was held 25 APR with commercial operations commencing in late 2014. The Fort Huachuca Renewable Energy Project is a joint effort between the U.S. Army Energy Initiatives Task Force, Fort Huachuca,

General Services Administration, Tucson Electric Power and developer E.ON Climate and Renewables. Under the terms of the deal, the Army will not bear the costs of building or operating the solar array, but will purchase the energy it generates at a fixed price.

GOVERNOR URGES PRESIDENT TO PROTECT WHITE SANDS FROM TRANSMISSION LINE New Mexico Governor Susana Martinez (R) [is urging](#) President Obama to intervene in a decision by the Interior Department's (DOI) Bureau of Land Management over the planned route of a transmission line that calls for it to cut through the northern extension of White Sands Missile Range (WSMR), New Mexico. "I urgently request your support in directing the DOI to develop a plan for the SunZia project which avoids negatively impacting the mission performance of WSMR," she said in a 22 APR 14 letter. Martinez said she backs national efforts to develop alternative energy. "However, the development of renewable energy projects should not negatively impact military missions at any of our installations," she wrote. In a separate letter to Secretary of the Interior Sally Jewell and Defense Secretary Chuck Hagel, Martinez requested officials find an alternate route or require the developer to bury sections of the line. A decision over whether to approve the project now is in Washington, DC, where DoD, DOI, and the White House Council on Environmental Quality (CEQ) hope to find common ground.

GEO-MAPPING SUPPORTS RENEWABLE ENERGY DEVELOPMENT As part of its goal to increase procurement of renewable energy sources to 25 percent by 2025, the Army is encouraging the development of renewable energy projects on Army lands. Critical to the first stage of this effort is identifying installation lands suitable for development. The U.S. Army Environmental Command [gathered geospatial data](#) to identify land on military bases that may be available for renewable energy projects. Using [ArmyMapper](#), USAEC analyzed 174 different Army facilities to identify "clear parcels" suitable for renewable energy projects. The analysis first excluded areas of each installation used for training, developed areas such as roads, areas with existing structures, and other areas unsuitable for development, such as wetlands, protected lands, and areas with threatened and endangered species or cultural resources. Then, cartographers took into account the topography of the installation, excluding areas too steep for renewable energy projects. USAEC provided refinements to its initial analysis as additional or updated data was provided by installations. USAEC's mapping efforts served as a starting point for discussion between the Army's [Energy Initiatives Task Force](#) (EITF) and installation personnel for development of renewable energy projects. EITF serves as the central managing office for the development of large-scale Army renewable energy projects. [According to the Army](#), the analysis illustrates the utility of mapping software to link Army installations with headquarters requirements and helps installation commanders understand how they can use idle or unused installation lands to meet mission requirements.

SUSTAINABILITY

SUSTAINABLE PRODUCTS CENTER ON DENIX DoD launched an online [sustainable products center](#) that will provide information on sustainable products including demonstration results, success stories, technical data, lessons learned, and data on the new sustainable alternatives. The website, hosted on the Defense Environmental Network and Information eXchange (DENIX), will also serve as a forum where DoD personnel may submit questions regarding sustainable procurement and share success stories.

Federal Activity

AIR

METHANE EMISSIONS In support of the Obama Administration's [Strategy to Reduce Methane Emissions](#), EPA released a [series of technical white papers](#) for peer review and public input. The white papers will help EPA solidify its understanding of certain sources of methane and volatile organic compound (VOC) emissions in the oil and natural gas

industry. The white papers cover compressors, emissions from completions and ongoing production of hydraulically fractured oil wells, leaks, liquids unloading, and pneumatic devices. EPA will use the white papers and the feedback it receives to determine how to build on the success of voluntary programs and existing regulations to cut methane and VOC emissions. EPA will determine how to best pursue reductions this fall. Comments are due 16 JUN 14.

MOTOR VEHICLE TIER III EMISSION STANDARDS EPA issued new standards for vehicle emissions and gasoline sulfur content ([79 FR 23413](#)). The agency, which considers the vehicle and its fuel as an integrated system, refers to this program as Tier 3 vehicle and fuel standards. This action will reduce the sulfur content of gasoline beginning in 2017. The gasoline sulfur standard will make emission control systems more effective for new and existing vehicles and will enable more stringent vehicle emission standards, reducing tailpipe and evaporative emissions. This will result in emissions reductions for nitrogen oxides (NO_x), VOC, fine particulate matter (PM_{2.5}), carbon monoxide, and air toxics. The final rule is effective 27 JUN 14. For more information, contact [JoNell Iffland](#) at (734) 214-4454.

IDAHO SIP EPA is proposing to find that the Idaho State Implementation Plan (SIP) meets federal infrastructure requirements for the 2010 nitrogen dioxide (NO₂) and sulfur dioxide (SO₂) National Ambient Air Quality Standards (NAAQS) ([79 FR 21669](#)). Whenever a new or revised NAAQS is promulgated, the Clean Air Act requires states to submit a plan for the implementation, maintenance, and enforcement of such NAAQS. The plan is required to address basic program elements such as regulatory structure, monitoring, modeling, legal authority, and adequate resources necessary to assure attainment and maintenance of the standards. These elements are referred to as infrastructure requirements. Comments are due 19 MAY 14. For more information, contact [Kristin Hall](#) at (206) 553-6357.

OREGON SIP EPA is proposing to find the Oregon SIP meets infrastructure requirements for the 2008 lead NAAQS ([79 FR 21679](#)). Comments are due 19 MAY 14. For more information, contact [Kristin Hall](#) at (206) 553-6357.

CLIMATE CHANGE

ANNUAL U.S. GHG INVENTORY EPA released its 19th annual report of overall U.S. greenhouse gas (GHG) emissions, showing a 3.4 percent decrease in 2012 from 2011. The [Inventory of U.S. Greenhouse Gas Emissions and Sinks](#) presents a national-level overview of annual greenhouse gas emissions since 1990. Major contributors to the decrease in emissions from 2011-2012 were the decrease in energy consumption across all sectors in the U.S. economy and the decrease in carbon intensity for electricity generation due to fuel switching from coal to natural gas. Other factors included a decrease in transportation sector emissions attributed to an increase in fuel efficiency across different transportation modes and limited new demand for passenger transportation. In addition to tracking U.S. GHG emissions, the inventory also calculates carbon dioxide (CO₂) emissions removed from the atmosphere through the uptake of carbon in forests, vegetation, soils, and other natural processes (carbon sinks). For more information, visit EPA's [National Greenhouse Gas Emissions Data](#) website.

EMISSION FACTORS FOR GHG INVENTORIES EPA released an update to its [GHG Emission Factors Hub](#). The GHG Emission Factors Hub is a [document](#) designed to provide a regularly updated and easy-to-use set of default emission factors for GHG reporting. It includes updated emission factors collated from both EPA's GHG Reporting Program and Climate Leaders technical guidance. The most recent version of the Emission Factors Hub (April 2014) includes updates to emission factors for stationary and mobile combustion sources, new electricity emission factors from EPA's Emissions & Generation Resource Integrated Database (eGRID), and Global Warming Potentials (GWPs) from the Intergovernmental Panel on Climate Change (IPCC) Fourth Assessment Report.

ENERGY

SMART GRID INTEROPERABILITY The National Institute of Standards and Technology (NIST) is requesting comment on a draft NIST Framework and Roadmap for Smart Grid Interoperability Standards, Release 3.0 ([79 FR 21210](#)). The document builds on two previously released Frameworks and Roadmaps, and incorporates advances in smart grid infrastructure, such as widespread deployment of wireless-communication power meters, the availability of customer

energy usage data through the [Green Button](#) initiative, and remote sensing for determining real-time transmission and distribution status. Release 3.0 also includes protocols for electric vehicle charging. Comments are due 30 MAY 14. For more information, contact [Chris Greer](#) at (301) 975-5987.

NATURAL RESOURCES

CEQ SUED OVER DELAYED NEPA GHG GUIDE The International Center for Technology Assessment (ICTA) and the Center for Food Safety filed a [lawsuit](#) against CEQ in the U.S. District Court for the District of Columbia. The lawsuit is intended to force CEQ to finalize and release guidance on how federal agencies should consider GHG emissions and climate change impacts as part of reviews conducted under the National Environmental Policy Act (NEPA). ICTA is one of several groups that petitioned CEQ in 2008 to include consideration of GHG impacts in NEPA reviews. ICTA's 2008 petition to CEQ asked for a determination that NEPA requires federal agencies to consider both the emissions results of their actions, as well as how physical changes due to climate change may affect those actions. It also sought guidance for how agencies should conduct long-term impacts analysis for GHGs and a finding of what amount of additional pollution is significant enough to warrant changes to a proposed project. Despite developing draft guidance in 2010, CEQ never finalized the guidance.

GAO REPORT ON AGENCY NEPA ANALYSIS The Government Accountability Office (GAO) reviewed issues related to federal agency costs, time frames, and litigation associated with completing analyses required under NEPA and issued a report ([GAO 14-369](#)). GAO found that little information exists on the costs and benefits of completing NEPA analyses, in part because it is difficult to differentiate activities performed for a NEPA analysis with those performed for other environmental reviews and because agencies do not routinely track the cost of completing NEPA analyses (there is no government wide mechanism to do so). GAO was able to obtain some information on the frequency of litigation over NEPA reviews, finding that the number of NEPA reviews subject to litigation is decreasing (94 in 2011 vs. 129 per year filed between 2001 and 2008). GAO requested information from DoD, DOE, DOI, the Department of Transportation, and the Forest Service for analysis because they generally complete the most NEPA analyses. The report does not contain any recommendations. For more information, contact [Anne-Marie Fennell](#) at (202) 512-3841.

THREATENED AND ENDANGERED SPECIES

REPORT ON VOLUNTARY SAGE-GROUSE CONSERVATIONS EFFORTS In response to a [request](#) by the [Western Governors' Association](#) (WGA), the Department of Agriculture's Natural Resource Conservation Service (NRCS) [reported](#) that \$350 million has been invested in conservation across 3.8 million acres in [11 states](#) since 2010 to address threats facing sage-grouse. Nearly \$250 million of that total has come from NRCS via the Sage-Grouse Initiative (SGI), while more than \$107 million has come from partners and landowners. That strategic investment through SGI has allowed NRCS to partner with 953 ranches to implement conservation on 3.8 million acres across the 11-state range of the sage-grouse. An additional \$15 million has been invested via NRCS and partners through the SGI Watershed Action Team. The NRCS report notes, however, that the Fish and Wildlife Service (FWS) recent proposal to list the bi-state distinct population segment of the greater sage-grouse as threatened has dampened participation by landowners in the region straddling Nevada and California.

YELLOW-BILLED CUCKOO FWS reopened the public comment period for its [3 OCT 13](#) proposal to list the [yellow-billed cuckoo](#) (*Coccyzus americanus*) in the western portion of the U.S., Canada, and Mexico as a threatened distinct population segment (DPS) ([79 FR 19860](#)). The public comment period was extended to 25 APR 14. The western yellow-billed cuckoo DPS is known or believed to occur in Arizona, California, Colorado, Montana, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming. For more information, contact Jennifer Norris at (916) 414-6600.

STATUS DESIGNATION: MAZMA POCKET GOPHER FWS designated four subspecies of [Mazama pocket gopher](#) in Thurston and Pierce counties, Washington, as threatened ([79 FR 19759](#)). The four subspecies are the Olympia pocket gopher (*Thomomys mazama pugetensis*), Roy Prairie pocket gopher (*T. m. glacialis*), Tenino pocket gopher (*T. m. tumuli*), and Yelm pocket gopher (*T. m. yelmensis*). The service also promulgated a special section 4(d) rule that will

allow continued agricultural activities on farming and ranch lands. The final rule was effective 9 MAY 14. For more information, contact Ken Berg at (360) 753-9440.

CRITICAL HABITAT: MAZMA POCKET GOPHER FWS designated critical habitat for three subspecies of Mazama pocket gopher (Olympia, Tenino, and Yelm) ([79 FR 19711](#)). In total, approximately 1,607 acres in Thurston County, Washington, fall within the boundaries of the critical habitat designation for the Olympia, Tenino, and Yelm pocket gophers. Due to protections afforded gophers in the Joint Base Lewis-McChord (JBLM) Integrated Natural Resources Management Plan (INRMP), critical habitat was not designated on JBLM lands for the Roy Prairie and Yelm pocket gophers. The final rule was effective 9 MAY 14. For more information, contact Ken Berg at (360) 753-9440.

COMMENT PERIOD EXTENDED: SLICKSPOT PEPPERGRASS FWS reopened the public comment period on its [12 FEB 14 final rule](#) listing [slickspot peppergrass](#) (*Lepidium papilliferum*) as a threatened species throughout its range ([79 FR 22076](#)). In a related action, the service revised its [12 FEB 14 proposed critical habitat designation](#) for the peppergrass and reopened the public comment period ([79 FR 22077](#)). In total, approximately 61,301 acres in Ada, Gem, Payette, Elmore, and Owyhee counties, Idaho, fall within the boundaries of the revised proposed critical habitat designation. Comments are due 5 JUN 14. For more information, contact Mike Carrier at (208) 378-5243.

NMFS RULE CLARIFICATIONS AND UPDATES The National Marine Fisheries Service (NMFS) updated and clarified the descriptions of species under NMFS' jurisdiction that are currently listed as threatened or endangered ([79 FR 20802](#)). The revisions make format changes to lists of threatened and endangered species, revise regulatory language explaining the lists, update the descriptions of certain listed Pacific salmonid species (add or remove hatchery stocks consistent with recently completed 5-year reviews), and correct regulatory text (fix inadvertent errors from previous rulemakings, update cross-references, and align language). This action does not add or remove any species to or from threatened or endangered species lists, change the status of any listed species, or add/revise designated critical habitat. The final rule was effective 14 APR 14. For general information, contact Maggie Miller at (301) 427-8403. For information on the 5-year status reviews of Pacific salmonids, contact Steve Stone at (503) 231-2317.

SOUTHERN RESIDENT KILLER WHALE NMFS is initiating a review of designated critical habitat for the [Southern resident killer whale](#) (*Orcinus orca*) DPS in the Puget Sound of Washington to determine whether it should be revised ([79 FR 22933](#)). This action is being taken in response to a [petition](#) requesting the service to revise its [2006](#) critical habitat designation to include marine waters along the West Coast of the U.S. that constitute essential foraging and wintering areas. The petitioners are also requesting the service adopt protective in-water sound levels as a primary constituent element for both currently designated critical habitat and the proposed revised critical habitat. Comments are due 24 JUN 14. For more information, contact Lynne Barre at (206) 526-4745.

LISTING NOT WARRANTED: SOUTHEAST ALASKA PACIFIC HERRING NMFS completed a status review of the Southeast Alaska DPS of [Pacific herring](#) (*Clupea pallasii*), finding that listing is not warranted ([79 FR 18518](#)). The Southeast Alaska DPS of Pacific herring extends from Dixon Entrance northward to Cape Fairweather and Icy Point and includes all Pacific herring stocks in Southeast Alaska. This finding was made 2 APR 14. For more information, contact Kate Savage at (907) 586-7312.

TOXICS

IRIS ASSESSMENTS: ARSENIC AND CrVI EPA [released preliminary materials](#) associated with integrated risk information system (IRIS) assessments for inorganic arsenic (iAs) and hexavalent chromium (CrVI) for public comment and discussion during its June 2014 public science meeting. The agency intends to produce an assessment of CrVI that considers risks from both inhalation and ingestion, and accounts for a modeling effort to understand how CrVI reduces to a less toxic form of the metal inside the body. For more information, visit the EPA's [IRIS website](#).

PATIENT DECONTAMINATION IN A MASS CHEMICAL EXPOSURE INCIDENT The Department of Homeland Security released the draft document [Patient Decontamination in a Mass Chemical Exposure Incident: National Planning Guidance for Communities](#) for public comment ([79 FR 18570](#)). The guidance document is developed for senior leaders, planners,

incident commanders, emergency management personnel, and trainers of local response organizations and health care facilities. It contains strategic-level, evidence-based best practices for use when planning and conducting patient decontamination in a mass chemical casualty event. The subject matter is focused on external decontamination of living people exposed to toxic industrial chemicals, toxic industrial materials, or chemical warfare agents resulting from an intentional or accidental release. Comments are due 19 MAY 14. For more information, contact [Mark Kirk](#).

WASTE

PROPOSED EXPANSION OF NON-WASTE FUEL LIST EPA is proposing to expand the list of materials it designates as "non-hazardous secondary materials" (NHSM), a designation that allows their combustion in lightly regulated boilers rather than more strictly regulated incinerators ([79 FR 21005](#)). The agency is proposing to add certain construction and demolition (C&D) wood, paper recycling residuals, and preservative-treated wood to the list of materials defined as "non-wastes" under the NHSM rule, which would allow them to be subject to EPA's boiler maximum achievable control technology (MACT) air toxics rule instead of the emissions rule for commercial, industrial and solid waste incinerators. These newly designated NHSM would be subject to a suite of best management practices and sorting technologies. Comments are due 13 JUN 14. For more information, contact [George Faison](#) at (703) 305-7652 or visit [EPA's website](#).

WATER

PROPOSED DEFINITION OF WATERS OF THE U.S. UNDER THE CLEAN WATER ACT EPA and the U.S. Army Corps of Engineers (USACE) are proposing to define the scope of waters protected under the Clean Water Act (CWA) ([79 FR 22187](#)). The agencies propose to define "Waters of the United States" to mean:

- Traditional navigable waters;
- Interstate waters (including interstate wetlands);
- Territorial seas;
- Impoundments of traditional navigable waters, interstate waters (including interstate wetlands), the territorial seas, and tributaries of such waters;
- Tributaries (as defined) of traditional navigable waters, interstate waters, or the territorial seas, and adjacent waters (including adjacent wetlands).

The agencies are also proposing to define the terms adjacent, neighboring, significant nexus, floodplain, tributary, and riparian area. The proposed rule provides a listing of items that are not "waters of the United States." Comments are due 21 JUL 14. In a related action, the Congressional Research Service (CRS) developed a [report](#) for Congress about the proposed rule. CRS acknowledges in the report that EPA and USACE believe the proposal "would not enlarge jurisdiction beyond what is consistent with the Supreme Court's narrow reading of jurisdiction," but cautions, "Others may disagree." For more information about the proposed rule, contact [Donna Downing](#) at (202) 566-2428.

EXEMPTION FROM SECTION 404 PERMITTING FOR CERTAIN AGRICULTURAL CONSERVATION PRACTICES EPA and USACE released for public comment an interpretive rule that addresses the exemption from permitting for discharges of dredged or fill material associated with certain agricultural conservation practices ([79 FR 22275](#)). Those practices are based on existing [conservation practice standards](#) designed and implemented to protect and enhance water quality. Section 404(f)(1)(A) of the CWA exempts certain discharges associated with farming, silviculture, and ranching activities from permitting requirements for discharges to waters of the U.S. Although the interpretive rule is currently in effect, the agencies welcome public input. In addition, EPA, USACE, and the Department of Agriculture signed a [Memorandum of Understanding](#) (MOU) in March 2014 describing how the three agencies will work together to implement the interpretive rule, protect and enhance water quality, and ensure consistency and predictability for the public. Comments are due 5 JUN 14. For more information, contact [Damaris Christensen](#) at (202) 564-2442 or visit [EPA's website](#).

EPA WATER BODY CONNECTIVITY REPORT EPA's Office of Research and Development (ORD) is developing a [draft report](#) synthesizing peer-reviewed scientific literature pertaining to biological, chemical, and hydrologic connectivity of waters and the effects that small streams, wetlands, and open waters have on larger downstream waters such as rivers, lakes, estuaries, and oceans. ORD asked the EPA Science Advisory Board (SAB) to conduct a peer review of the agency's draft report. SAB held two teleconferences (28 APR and 2 MAY 14) to discuss the draft advisory report ([79 FR 18293](#)). Findings from the draft report will help inform the EPA and USACE in their continuing policy work and efforts to clarify what waters are covered by the CWA. For more information, visit the SAB [connectivity website](#).

WESTERN DROUGHT PERSISTS The *Quarterly Climate Impacts and Outlook*, produced by [WGA](#) and the National Oceanic and Atmospheric Administration (NOAA), predicts continued drought throughout much of the West. According to the Outlook, "Drought is expected to persist across the Southwest and into Oregon. Other NOAA models...indicate that temperatures across most of the West will likely be above normal through spring and into June. Precipitation is likely to be below average for the Pacific coastal region, particularly in northern California." The Outlook is a two-page synopsis of recent drought and extreme weather conditions, as well as forecasts for the coming months. For more information, visit the [WGA website](#).

IDAHO NPDES: GROUNDWATER REMEDIATION DISCHARGE FACILITIES EPA Region 10 is proposing to reissue a NPDES General Permit for Groundwater Remediation Discharge Facilities in Idaho (Permit Number IDG911000, formerly IDG910000) ([79 FR 18684](#)). As proposed, the permit authorizes the discharge of groundwater from remediation sites to waters of the U.S. within Idaho from both facilities with existing coverage and new facilities interested in seeking coverage. The draft permit contains technology-based and water quality-based effluent limitations for conventional and toxic water quality pollutants, along with administrative reporting and monitoring requirements, as well as standard conditions, prohibitions, and management practices. A [fact sheet](#) is available that explains the draft permit. An informational meeting was held 1 MAY 14. Comments are due 19 MAY 14. For more information, contact [Jill Nogi](#) or visit the EPA [Region 10 website](#).

Professional Development

FEDERAL FACILITIES ENVIRONMENTAL STEWARDSHIP AND COMPLIANCE ASSISTANCE CENTER - [FedCenter.gov](#) is the federal government's home for comprehensive environmental stewardship, compliance assistance, and professional development information. FedCenter.gov provides a wide variety of information in the following areas:

- Program development (e.g., environmental management systems, green procurement program);
- Federal and state regulatory requirements for various facility activities;
- Regulatory Watch for information on new or changed laws or regulations;
- P2 opportunities and best management practices;
- EPA enforcement notices;
- Links to state environmental programs;
- Access to [environmental assistance](#);
- Access to free, FedCenter-sponsored courses:
 - [Environmental Compliance for Federal Laboratories](#) (FedCenter membership required);
 - [Environmental Management Systems](#) (FedCenter membership required);
 - [Underground Storage Tanks](#) (FedCenter membership required);
- Environmental [conferences](#), meetings, [training](#), and workshop information;
- Applicable laws and Executive Orders; and
- Industry sector-specific newsletters.

FedCenter also provides member assistance services such as:

- Collaboration tools for workgroups,

- Environmental reporting tools, and
- Daily newsletter and subscription services.

USACE PROSPECT TRAINING USACE announces course availability for the FY14 PROSPECT (i.e., Proponent-Sponsored Engineer Corps Training) program. Please see the [Course Catalog \(a.k.a. Purple Book\)](#) and [List of Classes and schedule](#) for details. Courses are open to all federal, state, county and city employees and contractors. There are different registration processes for each entity.

NAVY AND ISEERB ENVIRONMENTAL TRAINING FY14 The Navy and the Interservice Environmental Education Review Board (ISEERB) Environmental Training schedule for FY14 is available. Course topics include environmental overview and management, law planning and sustainability, pollution prevention, restoration, conservation, supplemental and Internet/computer-based training, and more.

AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING FY14 The Air Force Civil Engineering School offers a variety of environmental management courses and seminars, including ISEERB offerings. Courses offered by the Civil Engineer School are available to all military and civilian employees of the U.S. government, free of charges. Travel costs are borne by the student.

DEFENSE AND FEDERAL ENVIRONMENTAL TRAINING/AWARENESS The U.S. Army offers numerous environmental training courses (classroom and online). Explore training opportunities on the [US Army Environmental Command \(AEC\) website](#), which has links to training provided by DoD organizations.

24-15 JUN 14 LOS ANGELES, CALIFORNIA ESPC COMPREHENSIVE WORKSHOP. This three-day comprehensive [workshop](#) covers the process of implementing Energy Savings Performance Contract (ESPC) projects, from the initial steps of acquisition planning through project development, task order award, construction, project acceptance by the government, and the performance period.

Online Training

FEMP eTRAINING COURSES The Federal Energy Management Program (FEMP) offers interactive, online eTraining courses to help federal agencies develop core competencies and comply with energy-efficiency and renewable-energy water-management and sustainability requirements. FEMP is partnering with the National Institute of Building Sciences' Whole Building Design Guide (WBDG) to host these comprehensive, FEMP-developed eTraining courses. [Promotional materials](#) are available to help federal agencies encourage the completion of FEMP's eTraining courses. For more information about FEMP eTraining courses, contact [Beverly Dyer](#) at (202) 586-7753. The following courses are available:

- [Advanced Electric Metering in Federal Facilities](#) (3.5 hours, .40 CEUs)
- [Building Automation Systems for Existing Federal Facilities](#) (3.5 hours, .40 CEUs)
- [Commissioning for Existing Federal Buildings](#) (4.5 hours, .50 CEUs)
- [Energy-Efficient Federal Purchasing](#) (4.5 hours, .50 CEUs)
- [Energy Savings Performance Contracting](#) (8.5 hours, .90 CEUs)
- [Federal On-Site Renewable Power Purchase Agreements](#) (2.5 hours, .30 CEUs)
- [Launching a Utility Energy Services Contract \(UESC\): Getting to Yes!](#) (3 hours, .40 CEUs)
- [Managing Water Assessment in Federal Facilities](#) (3.5 hours, .40 CEUs)
- [Measurement and Verification in ESPCs](#) (3 hours, .40 CEUs)
- [Planning an Energy Assessment for Federal Facilities](#) (4 hours, .50 CEUs)
- [Selecting, Implementing, and Funding Photovoltaic Systems in Federal Facilities](#) (3.5 hours, .40 CEUs)
- [Sustainable Institutional Change for Federal Facility Managers](#) (3 hours, .40 CEUs)
- [Utility Service Contracts and Energy Project Incentive Funds](#) (90 minutes)

ENERGY STAR WEBCASTS. Among the offerings:

- [Federal Guiding Principles Checklist](#) – This webcast will teach federal energy and sustainability professionals how to use the ENERGY STAR® measurement and tracking tool, Portfolio Manager, to help ensure compliance with the Guiding Principles for High Performance Sustainable Buildings required by Executive Orders 13423 and 13514. The focus is on the Guiding Principles for Sustainable Existing Buildings.
- [Portfolio Manager 101](#) – This webcast demonstrates the core functionality of EPA’s new Energy Star Portfolio Manager tool. Attendees will learn to navigate the new Portfolio Manager, add a property and enter details, enter energy and water consumption data, share properties, generate performance reports to assess progress, and respond to data requests.
- [Portfolio Manager 201](#) – This webcast will explore advanced functionalities of EPA’s Energy Star Portfolio Manager tool, including managing and tracking changes to property uses over time; using spreadsheet templates to update property data; setting goals and targets to plan energy improvements for properties; generating and using custom reports; and using the Sustainable Buildings Checklist.

CLIMATE READY WATER UTILITIES EPA’s Climate Ready Water Utilities initiative assists the water sector (drinking water, wastewater, and stormwater utilities) in addressing impacts from climate change. This information helps utility owners and operators better prepare their systems for the impacts of climate change. The website has links to [tools and resources](#), new and recorded [training webinars](#), and more.

CLIMATE CHANGE SCIENCE AND MANAGEMENT WEBINAR SERIES This [webinar series](#) was developed to inform scientists, land managers, and the public about potential and predicted climate change impacts on fish and wildlife and to help guide resource management decisions across the United States. Video recordings with closed captioning are made available one to two weeks after each presentation.

WATER’S IMPACT ON THE ENERGY SECTOR This webinar features Stacy Tellinghuisen, senior energy/water policy analyst at Western Resource Advocates, who shares new research on the national impacts of water scarcity on the energy sector, including how the expanded use of renewable energy and energy efficiency can help reduce the potential impacts that prolonged droughts will have on the energy sector.

READINESS AND ENVIRONMENTAL PROTECTION INTEGRATION PROGRAM – Webinar Series The REPI Webinar Series is presented by DoD in partnership with the [Land Trust Alliance](#). This online series covers best practices, tutorials and knowledge sharing on REPI partnerships that support military mission and accelerate the pace and rate of conservation. All webinars begin at 1:00 p.m. Eastern unless otherwise noted.

EPA NPDES TRAINING COURSES AND WORKSHOPS Training courses, workshops, and webcasts explain the regulatory framework and technical considerations of the NPDES Permit program. They are designed for permit writers, dischargers, EPA officials, and other interested parties. Topics include vessel general permits, combined sewer overflows, energy management, green infrastructure, pesticides, pretreatment, sanitary sewer overflows, and stormwater.

EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY Learn about key issues, successful projects, and a variety of best management practices for creating waste management programs. Building on the familiar concept of [Reduce, Reuse, Recycle](#), sustainable materials management (SMM) is a systemic approach that seeks to reduce materials use and their associated environmental impacts over their entire life cycle, starting with extraction of natural resources and product design and ending with decisions on recycling or final disposal. The format is a formal presentation followed by a question and answer session.

ITRC INTERNET BASED TRAINING The Interstate Technology and Regulatory Council (ITRC) is a state-led coalition working with federal partners, industry, academia, and stakeholders to achieve regulatory acceptance of environmental technologies. In conjunction with EPA’s Technology Innovation and Field Services Division, ITRC delivers training courses via the Internet to reach a geographically dispersed audience of regulators, consultants, and

other members of the environmental community. The training sessions last approximately two hours, cover technical and regulatory information specific to environmental technologies and innovative approaches, and are supported by consensus-based ITRC guidance documents. Visit the site often to view upcoming internet-based training events.

EPA RCRA TRAINING RCRA-related online courses, seminars, webinars, podcasts, and videos are posted throughout EPA's waste website. Introductory and advanced courses are included for federal and state regulators, the regulated community, organizations, associations, and consumers interested in environmental laws, regulations, and implementation. Topics include general RCRA, RCRA corrective action, Environmental Management Systems (EMS), e-waste, groundwater characterization and cleanup, land revitalization, land disposal restrictions, sustainable materials management web academy, and environmental justice and RCRA permitting.

AMPHIBIAN AND REPTILE WEB-BASED LECTURE SERIES DoD's [Partners in Amphibian and Reptile Conservation \(PARC\)](#) hosts a monthly lecture series conducted by DoD biologists and professional herpetologists. The lecture series is conducted using Defense Connect Online. The goal of the lecture series is to help members stay connected and keep up with scientific studies and news. Copies of previous lectures are available on the [PARC group and photo site](#).

AREA SOURCE BOILER RULE VIDEO SERIES A new [EPA video series](#) explaining the Area Source Boiler Rule recently became available. The series consists of modules regarding:

- An overview of rule applicability, including specific rule requirements and compliance dates;
- How to conduct an energy assessment;
- How to conduct a boiler tune-up; and
- Recordkeeping and reporting requirements of the rule.

Area sources are commercial (e.g., laundries, apartments, hotels), institutional (e.g., schools, churches, medical centers, municipal buildings) or industrial (e.g., manufacturing, refining, processing, mining) facilities that emit or have the potential to emit less than 10 tons per year (tpy) of a single hazardous air pollutant, or less than 25 tpy combined hazardous air pollutants. The Area Source Boiler Rule affects boilers at these facilities that burn coal (including coal refuse, petroleum coke, or synthetic fuels derived from coal), oil or other liquid fuel, biomass, and non-waste materials. 2014 compliance dates for the Area Source Boiler Rule include:

- 21 MAR 14—deadline for completing the initial tune-up for existing boilers, and
- 19 JUL 14—deadline for submitting the notification of compliance status (NOCS) for tune-ups.

***13 MAY 2014, 11:30-12:30 PDT** [Tools for Successfully Deploying and Measuring Behavior Change for the Littering Public](#). This webinar, part of the [P2Rx Behavior Change Webinar Series](#), will help pollution prevention technical assistance providers initiate, implement, and measure behavioral change resulting from their programs and initiatives. Previous webinars are available for viewing anytime.

21 MAY 14. PLACING UESC TASK ORDERS WITH THE GSA. This free [webinar](#) provides a step-by-step approach to placing a utility energy service contract (UESC) task order under a U.S. General Services Administration (GSA) Areawide Contract. The training focuses on developing skills related to the acquisition plan, preliminary audit and findings, feasibility study and project proposal, contract for construction, construction and installation, performance assurance and acceptance, post-construction and commissioning.

5 JUN 14. ENERGY EFFICIENCY EXPERT EVALUATIONS. This free [webinar](#), part of the FEMP First Thursday Seminar series, describes a systematic approach to conduct an energy expert evaluation – a customized process to meet site-specific energy goals. This approach combines the most effective features of an energy audit and retro-commissioning, while avoiding the limitations of each.

***VARIOUS DATES: THROUGH AUGUST 2014.** [FOG Prevention Training for Rural Communities in the Pacific Northwest](#). The Pacific Northwest Pollution Prevention Resource Center (PPRC) is providing one day workshops for rural communities in Alaska, Idaho, Oregon, and Washington to reduce the harmful impacts of fats, oils, and grease (FOG) in sewers. For information about workshop locations, dates, and times, contact the [Pacific Northwest Pollution Prevention Resource Center](#).

How the Regional Offices Work for You

When used within the framework of ISO 14001, the *Western Region Review* can be part of an installation's procedures to satisfy Section 4.3.2 (Legal and other requirements) of ISO 14001. Information in the *Review* is intended for general guidance, and the reader should refer to cited source documents for more detailed information to determine the applicability and scope of the referenced legislation and regulations.

The US Army Regional Environmental and Energy Offices monitor state legislative and regulatory actions on your behalf. If a proposed state action has (1) critical mission impact; (2) conflicts with a federal requirement; and/or (3) a disproportionate effect on the Army or DoD, we coordinate with the potentially affected installations, commands, and/or other military Services to further assess the potential impact. If action is needed on a proposed measure we work with Army or Service regulatory experts to communicate DA/DoD position, coordinating with the affected installations and commands. Comments are combined from all parties in a single DoD/Army package and formally submitted to the state.

Want to comment on a rule or bill in the Review?

Please contact your Regional Environmental Coordinator listed in the Staff Directory.

Staff Directory

Mark Mahoney

Director /DoD REC Region 8
(303) 844-0956

mark.a.mahoney.civ@mail.mil

Kevin Ward

Regional Counsel
(303) 844-0955

kevin.m.ward40.civ@mail.mil

Park Haney

Deputy Director
(303) 844-0957

reed.p.haney.civ@mail.mil

Julia Miller

Region 8 Program Coordinator (Marstel-Day, LLC)
(303) 844-0952

julia.c.miller16.ctr@mail.mil

Tim Kilgannon

Army Coordinator Region 9
(303) 844-0953

timothy.r.kilgannon.civ@mail.mil

Park Haney

Acting Army Coordinator Region 10
(303) 844-0957

reed.p.haney.civ@mail.mil

Adriane Miller

Project Manager (Plexus Scientific Corporation)
(410) 278-6137

adriane.b.miller2.ctr@mail.mil

Nancy Reese

Regulatory Affairs Specialist (Marstel-Day, LLC)
(303) 844-0954

nancy.l.reese2.ctr@mail.mil

Additional Multi-Service Contacts

Robert Shirley

DoD/Air Force REC Region 10
(415) 977-8846

robert.shirley.2@us.af.mil

Clark Pitchford

Navy REC Region 10
(360) 315-5440

clark.pitchford@navy.mil

Jack Hug

Coast Guard Pacific Area
(510) 437-2747

Jack.p.hug@uscg.mil

Acronyms

ADEC	Alaska Department of Environmental Conservation
ADFG	Alaska Department of Fish and Game
ADNR	Alaska Department of Natural Resources
ACHP	Advisory Council on Historic Preservation
ACUB	Army Compatible Use Buffer
ATSDR	Agency for Toxic Substances and Disease Registry
BACT	best available control technology
BART	best available retro-fit technology
BLM	Bureau of Land Management
BTU	British thermal unit
CAA	Clean Air Act
CAFE	corporate average fuel economy
CAMR	Clean Air Mercury Rule
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulation
CH4	methane
CNOR	candidate notice of review
CO₂	carbon dioxide
CO₂e	carbon dioxide equivalent
COE	Corps of Engineers
CrVI	hexavalent chromium
CTED	Washington Department of Community, Trade, & Economic Development
CWA	Clean Water Act
CX	categorical exclusion
DA	Department of Agriculture
DoD	Department of Defense
DOE	Department of Energy
DOI	Department of Interior
DOT	United States Department of Transportation
DPS	distinct population segment
EA	environmental assessment
ECA	emission control area
ECF	emission comparable fuel
EIO	Energy Initiatives Office
EIS	environmental impact statement
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act of 1973
ESTCP	Environmental Security Technology Certification Program
FERC	Federal Energy Regulatory Commission
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FONSI	finding of no significant impact
FS	Forest Service
FWS	Fish and Wildlife Service

FY	fiscal year
GAO	Government Accountability Office
GHG	greenhouse gas
GRP	geographic response plan
GSA	General Service Administration
HCFC	hydrochlorofluorocarbon
HFC	hydrofluorocarbon
HFE	hydrofluorinated ethers
IDAPA	Idaho Administrative Procedures Act
IDEQ	Idaho Department of Environmental Quality
INRMP	integrated natural resource management plan
ISEERB	Interservice Environmental Education Review Board
ITRC	Interstate Technology and Regulatory Council
JLUS	Joint Land Use Study
LBP	lead-based paint
LEED	Leadership in Energy and Environmental Design
LID	Low-Impact Development
LOSS	large on-site sewage system
LT2	long term 2
MACT	maximum achievable control technology
MCL	maximum contaminant level
MCLG	maximum contaminant level goal
MERIT	Materials of Evolving Regulatory Interest Team
MOU	memorandum of understanding
MPA	marine protected area
MS4	municipal separate storm sewer system
MSGP	multi-sector general permit
N₂O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NCSL	National Conference of State Legislatures
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NHTSA	National Highway Traffic Safety Administration
NIST	National Institute of Standards and Technology
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NO₂	nitrogen dioxide
NOx	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRC	Nuclear Regulatory Commission
NSPS	New Source Performance Standard
NSR	New Source Review
OAR	Oregon Administrative Rules
ODA	Oregon Department of Agriculture
ODEQ	Oregon Department of Environmental Quality
OEQC	Oregon Environmental Quality Commission
OMB	Office of Management and Budget
ORCR	Office of Resource Conservation and Recovery
P2	pollution prevention
PBDE	polybrominated diphenyl ethers

PFC	perfluorocarbons
PFOA	perfluorooctanoic acid
PFOS	perfluorooctane sulfonic acid
PHMSA	Pipeline and Hazardous Materials Safety Administration
PM	particulate matter
PM2.5	particulate matter 2.5 microns in diameter or less
PM10	particulate matter 10 microns in diameter or less
POPs	persistent organic pollutants
ppb	parts per billion
PSD	Prevention of Significant Deterioration
PWS	public water system
RCRA	Resource Conservation and Recovery Act
REEO-W	Regional Environmental and Energy Office - Western
RoC	Report on Carcinogens
RoHS	European Union's Restriction of Hazardous Substances
RRP	Renovation, Repair, and Painting
SERDP	Strategic Environmental Research and Development Program
SI	spark-ignition
SIP	State Implementation Plan
SMP	Shoreline Management Plan
SNAP	significant new alternatives policy
SNUR	significant new use rule
SO₂	sulfur dioxide
SO_x	sulfur oxides
SPCC	spill prevention, control, and countermeasures
TAC	toxic air pollutant
TiO₂	titanium dioxide
TMDL	total maximum daily load
tpy	tons per year
TRI	Toxics Release Inventory
TSCA	Toxic Substance Control Act
UFC	Unified Facilities Criteria
ug/m³	micrograms per cubic meter
U.S.	United States
USACE	United States Army Corps of Engineers
USAEC	United States Army Environmental Command
USGS	United States Geological Survey
UST	underground storage tank
USTCA	Underground Storage Tank Compliance Act
VOC	volatile organic compound
WAC	Washington Administrative Code
WCI	Western Climate Initiative
WEFSEC	Washington Energy Facility Site Evaluation Council
WDC	Washington Department of Commerce
WDOE	Washington Department of Ecology
WDOH	Washington Department of Health
WGA	Western Governors' Association
WPCF	Water Pollution Control Facility
WRAP	Western Regional Air Partnership