



U.S. ARMY

Western Review of Legislative & Regulatory Actions Region 10



The U.S. Army Regional Environmental & Energy Office

July 2013

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 Western Region 10 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.

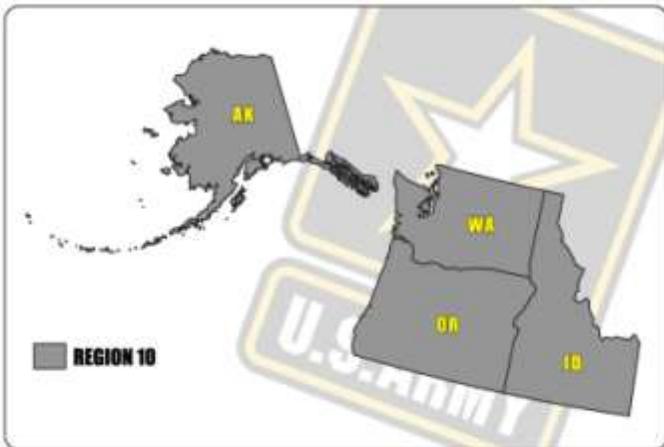


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Climate Action Plan

On June 25, President Obama presented his [Climate Action Plan](#), a blueprint for national and international action to slow the effects of climate change. The plan identifies actions to be taken in [three broad categories](#): cut carbon emissions, prepare for climate change, and lead international efforts to address climate change.

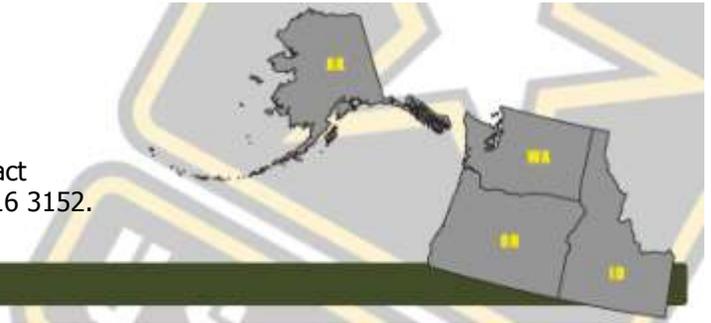
Cut carbon emissions: The President’s plan relies on the Environmental Protection Agency (EPA) to [regulate carbon emissions from new and modified power plants](#), curb hydrofluorocarbon (HFC) emissions, and work with other federal agencies to curb methane emissions. The plan mandates increases in renewable energy production on public lands, addresses [improvements to the electric grid](#), lays a path to increase building and appliance energy efficiency, commits the government to partner with industry to develop fuel economy standards for heavy-duty vehicles, and provides new loan guarantees for a wide array of advanced fuel innovative technologies.

Prepare for climate change: President Obama is calling for the U.S. to prepare for the impacts of climate change. Obama’s plan directs federal agencies to support local climate-resilient investment by removing counter-productive policies and modernizing programs, piloting innovative strategies to strengthen communities against extreme weather and other climate impacts, and launching an effort to create sustainable and resilient hospitals through a public-private partnership with the healthcare industry. The President proposes to leverage the power of information to maintain agricultural productivity and increase preparedness by delivering science-based knowledge to farmers, ranchers, and landowners; providing a “toolkit” of climate change tools and information; and launching a National Drought Resilience Partnership and a new climate data initiative.

Lead international efforts: The plan calls on the U.S. to expand new and existing international initiatives and restrict U.S. financing of overseas coal-fired power plants.

Region 10

For more information on any state issues in Region 10, contact [Jeff Andrews](#), Region 10 Environmental Coordinator (206) 316 3152.



DELIVERY PROHIBITION: SUBSTANDARD UNDERGROUND STORAGE TANKS The Alaska Department of Environmental Conservation (ADEC) adopted a [prohibition](#) on the delivery of petroleum products to a substandard underground storage tank. This action amends [18 AAC 78.018](#). The [final rule](#) is effective 19 JUL 13. For more information, contact [Bill Steele](#) at (907) 269-7886. The ADEC posted [text of the proposed prohibition](#) on its [underground storage tank website](#).

ANADROMOUS WATERS CATALOG AND ATLAS The Alaska Department of Fish and Game adopted [amendments](#) to the Anadromous Waters Catalog and Atlas (a listing of waterbodies statewide that are known to be important for the spawning, rearing, or migration of anadromous fish). Additions and deletions have been made to the list of rivers, lakes, and streams and changes have been made to the legal descriptions of many of these waters. Minor revisions to the introduction portion of the Catalog and Atlas include updates to definitions. Lastly, species-specific information replaces undifferentiated species information wherever possible. The Catalog and Atlas are adopted by reference in [5 AAC 95.011](#). The [notice of adopted changes](#) was published 6 JUN 13. The [final rule](#) adoption was effective 1 JUL 13. For more information, contact [Michael Daigneault](#) at (907) 267-2172.

LEGISLATIVE DEVELOPMENTS

The [Alaska 2013 legislative session](#) began 15 JAN 13 and adjourned 14 APR 13. Bills that passed the first house in 2013 carry over to the 2014 session.

<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				
ENERGY				
HB 103 <i>Representative Charisse E. Millett (R)</i> Proposes to establish special registration fees for alternative fuel vehicles.	✓			Failed upon adjournment
HB 163 <i>Representative Tammie Wilson (R)</i> Proposes to prohibit the burning of certain fuels in solid fuel burning devices.	✓			Failed upon adjournment
HJR 7 <i>Representative Lynn Gattis (R)</i> Proposes to urge the U.S. Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge to oil and gas exploration, development, and production.	✓			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>
HR 2 <i>House Rules Committee</i> Proposes to establish a House Special Committee on In-State Energy.	✓	✓		Approved
SJR 8 <i>Senator Lesil L. McGuire (R)</i> Proposes to support the continued and increased exploration, extraction, processing, and production of rare earth elements in the state. Urges the U.S. Congress to support efforts of the state to develop rare earth elements in the state.	✓	✓	✓	Approved
SR 3 <i>Senate Rules Committee</i> Proposes to establish a Senate Special Committee on In-State Energy.	✓	✓		Approved
LAND USE				
HB 77 <i>House Rules Committee</i> Proposes to amend the Alaska Land Use Act, including certain authorizations, contracts, leases, permits, or other disposals of state land, resources, property, or interests. Amends authorization for the use of state land by general permit. Amends requirements relating to the exchange of state land and administrative appeals procedures.	✓	✓		Carry over to 2014 legislative session
HB 123 <i>Representative Peggy Wilson (R)</i> Proposes to create the Alaska Transportation Panel. Addresses local transportation, motor fuel taxes, motor vehicle registration fee, driver license fees, studded tire tax, vehicle rental tax, and other fees and taxes.	✓			Failed upon adjournment
SB 26 <i>Senate Rules Committee</i> Proposes to amend the Alaska Land Use Act, including certain authorizations, contracts, leases, permits, or other disposals of state land, resources, property, or interests. Amends authorization for the use of state land by general permit. Amends requirements relating to the exchange of state land and administrative appeals procedures.	✓			Failed upon adjournment
NATURAL RESOURCES				
HB 89 <i>Representative Paul K. Seaton (R)</i> Proposes to establish the Invasive Species Response Fund. Requires the state to establish as rapid response and management plan to address aquatic invasive species.	✓			Failed upon adjournment
HB 170 <i>Representative Andrew Josephson (D)</i> Proposes to establish the Gordon Haber Denali Wolf Special Management Area.	✓			Failed upon adjournment
SJR 2 <i>Senator Fred J. Dyson (R)</i> Proposes to urge the federal government to limit federal overreach into management of state resources. Commends the Alaska government for actions to limit federal incursion into management of state resources.	✓	✓	✓	Approved

<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>
Other				
HB 84 <i>Representative Dan Saddler (R)</i> Proposes to provide for a temporary occupational license for qualified military service members.	✓	✓	✓	Signed by Governor
HCR 3 <i>Representative Charisse E. Millett (R)</i> Proposes to establish a Joint Committee on Federal Overreach.	✓			Failed upon adjournment
HR 4 <i>House Rules Committee</i> Proposes to establish a House Special Committee on Military and Veterans' Affairs.	✓	✓		Approved
HCR 6 <i>Representative Shelley Hughes (R)</i> Proposes to recognize the Alaska Center for Unmanned Aircraft Systems Integration at the University of Alaska Fairbanks as a national leader in unmanned aircraft research and development. Establishes a task force on unmanned aircraft systems.	✓	✓	✓	Approved
HJR 13 <i>Representative Alan Austerman (R)</i> Proposes to urge the U.S. government to complete the funding and acquisition of three additional National Security Cutters and to home port one of the cutters in Kodiak, Alaska.	✓	✓	✓	Approved
WASTE				
WATER				
HB 36 <i>Representative Tammie Wilson (R)</i> Proposes that a determination by the Department of Environmental Conservation regarding the permitting of active military ranges must be consistent with the federal Clean Water Act.	✓	✓	✓	Signed by Governor
HB 78 <i>House Rules Committee</i> Proposes to establish authority for the state to evaluate and seek primacy for administering the regulatory program for dredge and fill activities.	✓			Failed upon adjournment
SB 27 <i>Senate Rules Committee</i> Proposes to establish authority for the state to evaluate and seek primacy for administering the regulatory program for dredge and fill activities.	✓	✓	✓	Signed by Governor
SB 29 <i>Senate Rules Committee</i> Proposes to prohibit the discharge of untreated sewage and other solid or liquid wastewaters in a manner that violates any applicable state or federal law. Allows for a five-year plan for an alternative terms and conditions for vessel discharges concerning small commercial passenger vessels.	✓			Failed upon adjournment



WATER

WATER QUALITY STANDARDS The Idaho Department of Environmental Quality (IDEQ) is evaluating information on local and regional fish consumption as part of its efforts to determine whether Idaho's statewide criteria are protective of designated uses. This action is in response to the EPA's 10 MAY 12 disapproval of the state's 2006 water quality standard rule on the basis of disputed fish consumption values. A [negotiated rulemaking meeting](#) to assist in the development of draft rule text was held 10 JUL 13. The proposed rule will be published after the negotiated rulemaking process is complete. For more information, contact [Don Essig](#) at (208) 373-0119.

LEGISLATIVE DEVELOPMENTS

The [Idaho 2013 legislative session](#) began 7 JAN 13 and adjourned 4 APR 13.



ENERGY

CO₂ EMISSION STANDARDS FOR NON-BASE LOAD POWER PLANTS The Washington Department of Energy's [Facility Siting Council](#) is [proposing amendments](#) to the methodology for measuring carbon dioxide (CO₂) emissions from non-base load power plants. The amendments would provide an alternate means of measuring "actual gross CO₂ emissions" every five years during the operation of a non-base load power plant and restore language that was previously in effect but inadvertently removed in May 2012. The proposed rule amendments would also align the state's CO₂ offset standard for base load gas plants with standards that are being adopted by the EPA. Comments were due 28 JUN 13. The council intends to consider the proposed rule at its 2 AUG 13 meeting. For more information, contact [Lee Willeman](#) at (503) 373-0214.

NATURAL RESOURCES

FOREST LAND MANAGEMENT CLASSIFICATION SYSTEM The Oregon Department of Forestry adopted a [rule amendment](#) that establishes two new land management classifications for the purpose of highlighting the visibility of areas managed for conservation values when mapping the strategies set forth in approved forest management plans. The [final rule](#) was effective 1 JUL 13. For more information, contact [Sabrina Perez](#) at (503) 945-7210.

LEGISLATIVE DEVELOPMENTS

The [Oregon 2013 legislative session](#) began 14 JAN 13 and is expected to adjourn in early July 2013. An * indicates the first time a bill appears in the 2013 Review.

<i>Oregon 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 2237 <i>Governor John Kitzhaber (D)</i> Proposes to repeal sunset on provisions related to low carbon fuel standards.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
HB 2274 <i>Representative Vic Gilliam (R)</i> Proposes to modify, for purpose of gathering information related to greenhouse gas emissions, information that the Environmental Quality Commission may require to be reported.	✓			
HB 2336 <i>Representative Mitch Greenlick (D)</i> Proposes to require the Environmental Quality Commission to adopt by rule provisions requiring that certain permit applications include analysis regarding toxic air emissions.	✓			
HB 2412 <i>Representative Kevin Cameron (R)</i> Proposes to require the Environmental Quality Commission to implement a motor vehicle pollution control system inspection program.	✓			
HB 2806 <i>Committee On Energy And Environment</i> Proposes to require state agencies to provide certain information regarding reduction of greenhouse gas emissions. Requires the Secretary of State to audit agencies regarding greenhouse gas emissions.	✓			
HB 2815 <i>Committee On Energy And Environment</i> Proposes to require the Department of Environmental Quality to study certain issues related to carbon dioxide emissions. The study must include an analysis of the ten most cost-efficient methods to reduce carbon dioxide emissions from electricity generation and motor vehicles.	✓			
HB 3443 <i>Representative John Davis (R)</i> Proposes to require the Environmental Quality Commission to prepare certain revisions to Oregon's State Implementation Plan.	✓			
SB 212 <i>Senator Chuck Thomsen (R)</i> Proposes to require the Environmental Quality Commission to prepare certain revisions to Oregon's State Implementation Plan under the federal Clean Air Act.	✓			
SB 488 <i>Committee On Business And Transportation</i> Proposes to repeal a sunset on provisions related to low carbon fuel standards.	✓			
SB 844 <i>Senator Lee Beyer (D)</i> Proposes to direct the Public Utility Commission to establish a voluntary greenhouse gas emission reduction program. Program intent is to incentivize public utilities to invest in projects that reduce greenhouse gas emissions.	✓	✓	✓	Awaiting transmittal to Governor
ENERGY				
HB 2106 <i>Representative John E. Huffman (R)</i> Proposes to require the State Department of Energy to develop a map that identifies areas east of the Cascade Mountains that are appropriate for siting of energy facilities and any related or supporting facilities.	✓	✓	✓	Signed by Governor
HB 2108 <i>Representative Vic Gilliam (R)</i> Proposes to modify the renewable portfolio standard for small electric utilities. Excludes certain sales to a single large consumer from the calculation of percentage of sales to all retail electricity consumers.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
HB 2203 <i>Representative Greg Smith (R)</i> Proposes to prohibit a person from building an electric transmission line unless the person is the utility or has a contract with the utility. Places other restrictions on building electricity transmission lines.	✓	✓	✓	Signed by Governor
HB 2276 <i>Representative Mitch Greenlick (D)</i> Proposes to increase fuel and motor carrier taxes.	✓			
HB 2300 <i>Representative Tobias Read (D)</i> Proposes to require the State Department of Energy to promote use of compressed natural gas.	✓			
HB 2343 <i>Governor John Kitzhaber (D)</i> Proposes to revise a requirement that a contracting agency dedicate a certain amount of the contract price toward including green energy technology in a public building.	✓			
HB 2435 <i>House Interim Committee On Energy</i> Proposes to exempt diesel fuel blended with biodiesel derived from used cooking oil from the fuel excise tax. Specifies biodiesel minimum content.	✓	✓		
HB 2436 <i>House Interim Committee On Energy</i> Proposes to modify provisions of the energy efficiency and sustainable technology loan program.	✓	✓	✓	Signed by Governor
HB 2439 <i>House Interim Committee On Energy</i> Proposes to transfer certain duties, functions, and powers related to renewable energy from the State Department of Energy to the Public Utility Commission.	✓			
HB 2440 <i>House Interim Committee On Energy</i> Proposes to require the Department of Land Conservation and Development to review laws and rules regulating siting of solar energy projects.	✓			
HB 2472 <i>House Interim Committee On Revenue</i> Proposes to extend the sunset for tax credits for renewable energy resource equipment manufacturing facilities.	✓			
HB 2497 <i>House Interim Committee On Revenue</i> Proposes to impose tax on each fuel supplier and utility based on the amount of carbon in carbon-based fuel or that is used to produce carbon-generated electricity.	✓			
HB 2704 <i>Representative Greg Smith (R)</i> Proposes to direct the Department of Energy to conduct a study of issues related to siting and construction of electric transmission lines.	✓	✓	✓	Signed by Governor
HB 2758 <i>Committee On Transportation And Economic Development</i> Proposes to require the Department of Transportation to study issues related to alternative fuel vehicles.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
HB 2759 <i>Committee On Transportation And Economic Development</i> Proposes to require the Department of Transportation to study issues related to alternative fuels.	✓			
HB 2791 <i>Committee On Energy And Environment</i> Proposes to repeal the sunset on provisions related to low carbon fuel standards.	✓			
HB 2792 <i>Committee On Energy And Environment</i> Proposes to impose a tax on each fuel supplier and utility based on the amount of carbon in carbon-based fuel that is sold or used to produce carbon-generated electricity supplied by a utility to in-state consumers.	✓			
HB 2795 <i>Committee On Energy And Environment</i> Proposes to establish community net metering to allow subscribing customers to receive credit for electricity produced by a community net metering facility.	✓			
HB 2797 <i>Committee On Energy And Environment</i> Proposes to require a portion of a public building renovation contract amount be set aside for green energy technology if the total cost of the project exceeds a set limit.	✓			
HB 2798 <i>Committee On Energy And Environment</i> Proposes to provide an alternative formula for determining assessed value of locally assessed alternative energy system.	✓			
HB 2799 <i>Committee On Energy And Environment</i> Proposes to lower the minimum required total costs for solar photovoltaic projects to be eligible for the strategic investment program.	✓			
HB 2807 <i>Committee On Energy And Environment</i> Proposes to require the Department of Energy to study carbon sequestration in relation to energy use. Specifies what the study must analyze.	✓	✓	✓	Awaiting transmittal to Governor
HB 2819 <i>Committee On Energy And Environment</i> Proposes to increase minimum acreage a solar collecting facility must use to be included in the definition of "energy facility" for the purpose of state regulation of energy facilities.	✓			
HB 2820 <i>Committee On Energy And Environment</i> Proposes to modify the definition of "energy facility" for purposes of site certificates issued by the Energy Facility Siting Council.	✓	✓	✓	Signed by Governor
HB 2860 <i>Representative Tim J. Freeman (R)</i> Proposes to exempt diesel fuel sold for use in hospital facilities and long-term care facilities from requirements for renewable content.	✓			
HB 2893 <i>Committee On Energy And Environment</i> Proposes to require the Public Utility Commission to establish a program under which a utility must agree to purchase electricity from consumer generated solar photovoltaics.	✓	✓	✓	Signed by Governor

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HB 2940 <i>Committee On Energy And Environment</i> Proposes to modify the definition of "base load electricity" for purposes of greenhouse gas emissions standards.	✓			
HB 2941 <i>Committee On Energy And Environment</i> Proposes to raise the total solar photovoltaic generating nameplate capacity of all electric companies in the state from 20 megawatts of alternating current to 40 megawatts of alternating current.	✓			
HB 2981 <i>Representative Mike McLane (R)</i> Proposes to allow exception to employment requirements for rural renewable energy development zone exemption from property taxation. Allows extension of exemptions under certain circumstances.	✓	✓	✓	Signed by Governor
HB 3036 <i>Representative Alissa Keny-Guyer (D)</i> Proposes to direct the State Department of Energy to conduct a study of renewable thermal energy and renewable gas.	✓			
HB 3104 <i>Committee On Energy And Environment</i> Proposes to restrict who can claim a tax credit for biomass and makes changes to tax credit rates. Authorizes the Department of Energy to set tax rates for credit.	✓			
HB 3107 <i>Representative Gene Whisnant (R)</i> Proposes to remove a requirement for the Oregon Department of Agriculture to monitor ethanol fuel production and issue a notice when ethanol production reaches specified level.	✓			
HB 3169 <i>Representative Paul R. Holvey (D)</i> Proposes to revise a requirement that a contracting agency dedicate certain amount of the contract price toward including green energy technology in public building projects or renovations.	✓	✓	✓	Awaiting transmittal to Governor
HB 3242 <i>Representative Nancy Nathanson (D)</i> Proposes to authorize the Department of State Lands to adopt rules for authorization of certain renewable energy facilities or devices within Oregon's territorial sea.	✓			
HB 3431 <i>Representative Jim Weidner (R)</i> Proposes to establish a task force on geothermal energy.	✓			
HB 3432 <i>Representative Jim Weidner (R)</i> Proposes to establish a task force on nuclear power.	✓			
HB 3448 <i>Representative Deborah Boone (D)</i> Proposes to exempt diesel fuel sold to facilities that store more than 50 gallons of fuel for use in emergency power generation from requirements for minimum renewable component.	✓	✓	✓	Signed by Governor
HJR 9 <i>House Interim Committee On Revenue</i> Proposes to amend the Oregon constitution to allow fuel and vehicle taxes to fund transportation projects.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
SB 242 <i>Senator Peter C. Courtney (D)</i> Proposes to require electric companies to develop and submit to the Public Utility Commission their strategy for analyzing and planning for investments in a facility that uses coal to generate electricity.	✓	✓	✓	Signed by Governor
SB 321 <i>Senator Peter C. Courtney (D)</i> Proposes to extend the sunset for tax credit for renewable energy resource equipment manufacturing facilities.	✓			
SB 354 <i>Senator Arnie Roblan (D)</i> Proposes to authorize the State Treasurer to issue Article XI-D general obligation bonds for development of transmission capacity for wave energy.	✓			
SB 359 <i>Senator Arnie Roblan (D)</i> Proposes to exempt a wave energy facility or project in Oregon's territorial sea from licensing process for hydroelectric facilities if certain conditions are met.	✓			
SB 692 <i>Committee On Environment And Natural Resources</i> Proposes to establish minimum energy efficiency standards for certain products. Prohibits the sale or installation of products that do not meet standards.	✓	✓	✓	Signed by Governor
SB 693 <i>Representative Cliff Bentz (R)</i> Proposes to prohibit power transmission lines with capacity of 400,000 volts or greater on land zoned for exclusive farm use.	✓			
LAND USE				
HB 3385 <i>Representative Julie Parrish (R)</i> Proposes to authorize the Department of Land Conservation and Development, in lieu of a local government, to issue a permit or an exemption from a local land use regulation, in specified circumstances.	✓			
SB 230 <i>Senator Mark Hass (D)</i> Proposes to establish the West Coast Critical Infrastructure Exchange Task Force. Specifies the task force will make recommendations on participation in a regional effort regarding new/existing energy and water infrastructure projects and strategies to enhance infrastructure systems.	✓	✓	✓	Signed by Governor
SB 250 <i>Senator Peter C. Courtney (D)</i> Proposes to authorize a local government that has an urban growth boundary to include land within the boundary consistent with local economic development projections and public facilities plans.	✓			
NATURAL RESOURCES				
HB 2022 <i>Representative Brian L. Clem (D)</i> Proposes to modify the definition of native fish for purposes of the salmon and trout enhancement program.	✓			
HB 2147 <i>House Interim Committee On Agriculture And Natural Resources</i> Proposes to require the Department of Fish and Wildlife to appoint a Wildlife Damage Control Advisory Council.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
HB 2173 <i>Representative Wayne Krieger (R)</i> Proposes to exempt land zoned for exclusive farm use from limitation on liability for damage, injury, or death from certain fish and wildlife habitat improvement projects.	✓			
HB 2321 <i>Representative Peter Buckley (D)</i> Proposes to require agencies of the executive department to take certain actions to protect the environment.	✓			
HB 2813 <i>Committee On Energy And Environment</i> Proposes to declare the plant commonly known as giant cane or giant reed to be a noxious weed, plant pest, and invasive species meriting eradication.	✓			
HB 3024 <i>Representative Lew Frederick (D)</i> Proposes to direct the Oregon Business Development Department to conduct study of sites ready for industrial development.	✓			
HB 3086 <i>Committee On Agriculture And Natural Resources</i> Proposes to allow a person seeking a permit for a proposed action that may affect the core area habitat of sage grouse to file report with the state regarding offsite mitigation.	✓			
HB 3248 <i>Representative Peter Buckley (D)</i> Proposes to require the State Department of Fish and Wildlife to conduct reviews of wildlife management plans.	✓			
HB 3337 <i>Representative Chris Garrett (D)</i> Proposes to expand state policy relating to ecosystems. Allows compensatory mitigation.	✓	✓		
HB 3452 <i>Representative Bob Jenson (R)</i> Proposes to describe the circumstances under which gray wolves may be taken.	✓	✓	✓	Awaiting transmittal to Governor
SB 338 <i>Senator Elizabeth Johnson (D)</i> Proposes to change the status of activities conducted to create, restore, or enhance wetlands on land zoned for exclusive farm use from outright permitted use to conditional use.	✓			
SB 357 <i>Senator Larry George (R)</i> Proposes to establish policy direction for management of state forestlands, including management for timber harvesting.	✓	✓	✓	Signed by Governor
SB 432 <i>Senator Chris Edwards (D)</i> Proposes to expand the grounds for the Department of Agriculture to establish quarantine/eradication areas to control invasive species.	✓			
SB 605 <i>Senator Arnie Roblan (D)</i> Proposes to clarify that the Land Conservation and Development Commission must review the Territorial Sea Plan and the Oregon Ocean Resources Management Plan (including amendments recommended by Ocean Policy Advisory Council) and make formal findings that the documents meet certain conditions and statewide planning goals.	✓	✓	✓	Signed by Governor

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
SB 730 <i>Senator Ted Ferrioli (R)</i> Proposes to define "vernal pool." Excludes vernal pools from definition of "waters of this state."	✓			
SB 737 <i>Senator Arnie Roblan (D)</i> Proposes to establish the Oregon Ocean Science Trust. Specifies duties of trust.	✓	✓	✓	Awaiting transmittal to Governor
OTHER				
HB 2262 <i>Governor John Kitzhaber (D)</i> Proposes to define commercial driving privileges for purposes of the Oregon vehicle code.	✓	✓	✓	Signed by Governor
* HB 2710 <i>Representative John E. Huffman (R)</i> Proposes to authorize law enforcement agencies to use drones only as specified by law.	✓	✓	✓	Awaiting transmittal to Governor
HB 2928 <i>Committee On Consumer Protection And Government</i> Proposes to modify the definition of "hazardous substance." Requires Director of Oregon Health Authority to adopt standards for labeling of articles that contain hazardous substances.	✓			
HB 3170 <i>Representative Paul R. Holvey (D)</i> Proposes to require reporting of commercial or governmental pesticide applications to the Department of Environmental Quality.	✓			
HB 3171 <i>Representative Paul R. Holvey (D)</i> Proposes to create an exemption from state preemption for local laws designed to prevent or control presence of pesticides in potable water.	✓			
HB 3199 <i>Representative Mike McLane (R)</i> Proposes to prohibit the release of a sky lantern, the discharge of an exploding target, or the discharge of tracer ammunition during fire season on or near forest protection district lands.	✓	✓	✓	Signed by Governor
HB 3323 <i>Representative Gail Whitsett (R)</i> Proposes to prohibit the Environmental Quality Commission from adopting any rule concerning air quality and water quality that imposes stricter requirements or standards than those imposed under federal law.	✓			
HB 3364 <i>Representative Alissa Keny-Guyer (D)</i> Proposes to require the appointment of a State Integrated Pest Management Coordinator.	✓	✓	✓	Signed by Governor
HB 3457 <i>Representative Kevin Cameron (R)</i> Proposes to revise conditions for exemption of persons from pesticide licensing and certification laws.	✓			
* HJR 9 <i>House Interim Committee On Revenue</i> Proposes to allow taxes from motor vehicle fuel sales to be used for projects to reduce motor vehicle congestion.	✓			
HM 1 <i>House Interim Committee On Energy</i> Proposes to urge Congress to modernize the Toxic Substances Control Act.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
SB 444 <i>Senator Elizabeth Steiner Hayward (D)</i> Proposes to create a traffic offense of smoking in the car with a passenger under age 18. Establishes fines.	✓	✓	✓	Signed by Governor
* SB 746 <i>Senator Bill Hansell (R)</i> Proposes to direct Morrow and Umatilla counties to develop industrial and commercial land uses on land formerly known as Umatilla Chemical Depot.	✓			
SB 800 <i>Senator Floyd Prozanski (D)</i> Proposes to require the task force appointed by Governor to study and make recommendations regarding whether state and local governments should be required to report pesticide applications.	✓			
SB 810 <i>Senator Bill Hansell (R)</i> Proposes to direct the Department of Transportation to conduct an interchange management study as part of the redevelopment of Umatilla Chemical Depot.	✓			
* SB 853 <i>Senator Larry George (R)</i> Proposes to prohibit a public body from operating drone, acquiring information through operation of drone or disclosing information acquired through operation of drone, except as authorized by Act.	✓			
WASTE				
HB 2048 <i>Governor John A. Kitzhaber (D)</i> Proposes to repeal the sunset on the architectural paint stewardship program.	✓	✓	✓	Awaiting transmittal to Governor
HB 2075 <i>Representative Mitch Greenlick (D)</i> Proposes to implement a program by which patients may properly dispose of prescription drugs at hospitals and long-term care facilities.	✓			
HB 2284 <i>Representative Tobias Read (D)</i> Proposes to require the Oregon Business Development Department to establish and administer a program to make loans to qualified project sponsors for development of certain brownfields.	✓			
HB 2438 <i>House Interim Committee On Energy</i> Proposes that conversion of certain waste plastics to oil using pyrolysis is considered recycling for certain purposes.	✓			
HB 2659 <i>Representative Lew Frederick (D)</i> Proposes to require the Department of Environmental Quality to study issues related to contaminated properties and to report to the legislature.	✓			
HB 2938 <i>Committee On Energy And Environment</i> Proposes to prohibit persons from knowingly disposing of rechargeable batteries as solid waste.	✓			
HB 3492 <i>Representative Mitch Greenlick (D)</i> Proposes to create new definitions for provisions related to use reductions related to toxic substances and hazardous waste.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
SB 113 <i>Senator Peter C. Courtney (D)</i> Proposes to prohibit use of single-use checkout bags except in certain cases.	✓			
SB 248 <i>Senator Peter C. Courtney (D)</i> Proposes to increase the amount of funds collected for solid waste disposal that may be set aside by local governments for certain uses.	✓			
SB 791 <i>Senator Mark Hass (D)</i> Proposes to repeal the sunset on the architectural paint stewardship program.	✓			
WATER				
HB 2258 <i>Governor John Kitzhaber (D)</i> Proposes to make legislative findings regarding need for water supply management and merits of water banking.	✓			
HB 2259 <i>Governor John Kitzhaber (D)</i> Proposes to increase certain fees charged by the Water Resources Department.	✓	✓		
HB 2345 <i>Representative Tobias Read (D)</i> Proposes to establish the Oregon Innovation in Infrastructure Task Force. Directs task force to make recommendations regarding the status of existing infrastructures and on development and implementation of critical infrastructure projects involving energy transmission and efficiency, water storage capacity, municipal water systems, and wastewater management.	✓	✓	✓	Awaiting transmittal to Governor
HB 2396 <i>Representative Brad Witt (D)</i> Proposes to amend the definition of debris for purposes of in-channel removal-fill provisions.	✓	✓	✓	Signed by Governor
HB 2809 <i>Committee On Energy And Environment</i> Proposes to eliminate a requirement that certain water development projects receiving funding through Water Resources Department reserve an increment of stored water for net environmental public benefit or for enhancing in-stream flows.	✓			
HB 2810 <i>Committee On Energy And Environment</i> Proposes to direct the Water Resources Department to establish a program to facilitate transfers of water rights or uses between properties accessing same water source.	✓			
HB 2811 <i>Committee On Energy And Environment</i> Proposes to direct the Water Resources Department to establish a water banking program.	✓			
HB 2842 <i>Representative Cliff Bentz (R)</i> Proposes to prohibit the Department of Environmental Quality from imposing any requirement more stringent than federal law.	✓			
HB 3103 <i>Committee On Energy And Environment</i> Proposes to modify terms related to oil spills.	✓	✓	✓	Signed by Governor

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
HB 3167 <i>Committee On Consumer Protection And Government</i> Proposes to allow local governments to contract with private entities to carry out certain government duties related to sewage.	✓			
HB 3321 <i>Representative Gail Whitsett (R)</i> Proposes to prohibit the Water Resources Department from collecting a fee (or charge) pertaining to domestic ground water well use.	✓			
HB 3454 <i>Representative Brent Barton (D)</i> Proposes to modify certain provisions related to water quality.	✓			
SB 199 <i>Senator Peter C. Courtney (D)</i> Proposes to expand the means for acquisition of existing water rights for conversion to in-stream water rights.	✓	✓	✓	Signed by Governor
SB 200 <i>Senator Peter C. Courtney (D)</i> Proposes to allow certain water right holders to apply for assignment of a water right. Authorizes the Department of Water Resources to issue replacement water right permits.	✓	✓	✓	Signed by Governor
SB 217 <i>Senator Peter C. Courtney (D)</i> Proposes to impose an annual management fee on water rights.	✓			
SB 733 <i>Senator Ted Ferrioli (R)</i> Proposes to allow the Department of State Lands to approve, on case-by-case basis, off-site compensatory mitigation in certain watersheds in adjacent states.	✓			
SB 734 <i>Senator Chuck Thomsen (R)</i> Proposes to classify certain waters of Columbia River to be used for specific purposes.	✓			
SB 840 <i>Committee On Environment And Natural Resources</i> Proposes to impose new water use limitations on fixtures.	✓	✓		
SB 846 <i>Senator Bill Hansell (R)</i> Proposes to require the Water Resources Department to establish the Umatilla Basin Water Storage Program for developing water supplies in northeastern Oregon.	✓			



ENERGY

INTERNATIONAL ENERGY CONSERVATION CODE The Washington Building Code Council [adopted](#) the 2012 International Energy Conservation Code (IECC) with amendments, as a replacement to the [2009 Washington State Energy Code](#), which has been repealed. This action divides the [2012 Energy Code](#) into two separate chapters of the Washington Administrative Code: [Chapter 51-11C WAC](#) (Commercial Requirements) and [Chapter 51-11R](#) (Residential

Requirements). The final rule was effective 1 JUL 13. For more information, contact [Krista Braaksma](#) at (360) 407-9278.

OTHER

WEIGHT EXEMPTION FOR AUXILIARY POWER ON LARGE TRANSPORT VEHICLES The Washington Department of Transportation is proposing amendments to its [rules for issuing special permits](#) (Chapter 468-38-073) that allow vehicles, or combinations of vehicles, to move in a legal or extra-legal configuration on the public highways. The amendments increase the allowable weight to 550 (from 400) pounds of auxiliary power units used for exhaust emission reduction on vehicles that require special permits to operate on public highways. This action would align state requirements with federal limits. For more information, contact [Jim Wright](#) at (360) 704-6345.

LEGISLATIVE DEVELOPMENTS

The [Washington 2013 legislative session](#) began 14 JAN 13 and adjourned 28 APR 13 without reaching agreement on the budget and other matters. Bills that passed the first house during the 2013 regular session carry over to the 2014 legislative session. A special session convened 13 MAY 13 and adjourned 11 JUN 13 for final work on a spending plan. A second special session to address matters unresolved from the first special session convened 12 JUN 13 and adjourns 12 JUL 13. An** indicates that the bill was re-introduced in the special session.

<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 1154 <i>Representative Dave Upthegrove (D)</i> Proposes to provide for exclusions to the definition of "nonpower attributes" for purposes of the Energy Independence Act.	✓	✓	✓	Signed by Governor
** 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 upon adjournment
** HB 1915 <i>Representative Dave Upthegrove (D)</i> Proposes to require the Governor hire an independent organization to prepare an evaluation of approaches to reducing 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 upon adjournment
** SB 5321 <i>Senator Doug Ericksen (R)</i> Proposes to harmonize state greenhouse gas reporting requirements with federal requirements.	✓			Failed upon adjournment
** 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.	✓	✓		Carry over to 2014 session
** SB 5679 <i>Senator Lisa Brown (D)</i> Proposes to improve the business climate and stimulate job creation by requiring certain agencies to establish a formal review process of existing rules.	✓	✓	✓	To Governor

<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>
**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 upon adjournment
ENERGY				
**HB 1017 <i>Representative Jeff Morris (D)</i> Proposes to create new efficiency standards for battery charger systems, water closets, and urinals. Authorizes a city or county to enact an ordinance allowing the sale and installation of non low-consumption water closets or urinals.	✓	✓		Carry over to 2014 session
**HB 1030 <i>Representative Jeff Morris (D)</i> Proposes to adopt the Electric Transmission Line Siting Compact in order to promote an interstate cooperative transmission siting process.	✓			Failed upon adjournment
**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 upon adjournment
**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 upon adjournment
**HB 1221 <i>Representative Dave Upthegrove (D)</i> Proposes to modify the Energy Independence Act by revising the definition of "load." Adds a definition for "coal transition power." Companion bill is SB 5298.	✓			Failed upon adjournment
**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 upon adjournment
**HB 1301 <i>Representative Jeff Morris (D)</i> Proposes to modify the existing renewable energy investment cost recovery incentive program to streamline the program and promote clean energy technology.	✓	✓		Carry over to 2014 session
**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 upon adjournment
**HB 1374 <i>Representative Jeff Morris (D)</i> Proposes to change the composition and duties of the Energy Facility Site Evaluation Council because there is a critical need for infrastructure to ensure the safe and reliable operations of electrical generation and energy transmission systems in the state and the region. Removes the military department from membership in the council.	✓	✓		Carry over to 2014 session

<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>**HB 1426 <i>Representative Terry Nealey (R)</i> Proposes to authorize qualifying utilities serving retail customers to use eligible renewable resources located within the Western Electricity Coordinating Council area to comply with the Energy Independence Act. Companion bill is SB 5400.</p>	✓			Failed upon adjournment
<p>**HB 1602 <i>Representative Lawrence S. Springer (D)</i> Proposes to exempt engine retrofits from certain fuel usage requirements. Requires the Department of Commerce to convene an advisory committee to work with the department to develop rules on electricity and biofuel use goals. Companion bill is 5099.</p>	✓			Failed upon adjournment
<p>**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.</p>	✓	✓		Carry over to 2014 session
<p>HB 1883 <i>Representative Joe Fitzgibbon (D)</i> Proposes to update, consolidate, and simplify fuel tax administration provisions.</p>	✓	✓	✓	Signed by Governor
<p>**HB 1950 <i>Representative Lawrence E. Haler (R)</i> Proposes to revise the definition of "eligible renewable resource" to include hydroelectric generation from certain projects. Defines hydroelectric power generated from certain existing water infrastructure where the generation does not result in new water diversion or impoundment as an eligible renewable resource.</p>	✓			Failed upon adjournment
<p>**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 to improve the cost-effectiveness, rather than ratepayer subsidies.</p>	✓			Failed upon adjournment
<p>**HJR 4200 <i>Representative Lawrence E. Haler (R)</i> Proposes to amend the state constitution to recognize hydroelectric generation as a renewable resource.</p>	✓			Failed upon adjournment
<p>SB 5099 <i>Senator Ann Rivers (R)</i> Proposes to exempt engine retrofits from certain fuel usage requirements. Requires the Department of Commerce to convene an advisory committee to work with the department to develop rules on electricity and biofuel use goals. Companion bill is HB 1602.</p>	✓	✓	✓	Signed by Governor
<p>**SB 5294 <i>Senator Doug Ericksen (R)</i> Proposes to revise the Energy Independence Act by recognizing hydroelectricity as an eligible renewable resource.</p>	✓			Failed upon adjournment
<p>**SB 5298 <i>Senator John Braun (R)</i> Proposes to modify the Energy Independence Act by revising the definition of "load." Adds a definition for "coal transition power." Companion bill is HB 1221.</p>	✓			Failed upon adjournment

<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>
SB 5369 <i>Senator Adam Kline (D)</i> Proposes to address rights and permits associated with geothermal energy production. Allocates revenues associated with geothermal energy and creates a geothermal energy account in the state treasury.	✓	✓	✓	Signed by Governor
SB 5400 <i>Senator Jim Honeyford (R)</i> Proposes to authorize qualifying utilities serving retail customers to use eligible renewable resources located within the Western Electricity Coordinating Council area to comply with the Energy Independence Act. Companion bill is HB 1426.	✓	✓	✓	Signed by Governor
** SB 5412 <i>Senator Doug Ericksen (R)</i> Proposes to revise the definition of "eligible renewable resource" for purposes of the Energy Independence Act.	✓			Failed upon adjournment
** 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 upon adjournment
SB 5849 <i>Senator Rodney Tom (D)</i> Proposes to specify electric vehicle charging station signage requirements.	✓	✓	✓	Signed by Governor
** 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 upon adjournment
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.	✓	✓		Carry over to 2014 session
** HB 1224 <i>Representative Joel A. Kretz (R)</i> Proposes to provide a process for county legislative authorities to withdraw from voluntary planning under the Growth Management Act. Companion bill is SB 5636.	✓			Failed upon adjournment
HB 1277 <i>Representative David Sawyer (D)</i> Proposes to address tribes holding conservation easements.	✓	✓	✓	Signed by Governor
** HB 1978 <i>Representative Hans Zeiger (R)</i> Proposes to create an expedited environmental review and approval process for transportation projects that require preparation of an environmental impact statement. Aligns Department of Ecology and Department of Transportation requirements.	✓	✓		Carry over to 2014 session

<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>
** 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 upon adjournment
** 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 upon adjournment
** SB 5406 <i>Senator Doug Ericksen (R)</i> Proposes to limit the use of sanctions under the Growth Management Act when a local government shows that it is working toward compliance with the act.	✓			Failed upon adjournment
** SB 5603 <i>Senator Brian Hatfield (D)</i> Proposes to create the Washington Coastal Marine Advisory Council to address coastal waters issues relating to resource management, shellfish aquaculture, marine and coastal hazards, ocean energy, open ocean aquaculture, and ocean acidification.	✓	✓	✓	Signed by Governor
** SB 5636 <i>Senator John Smith (R)</i> Proposes to provide a process for county legislative authorities to withdraw from voluntary planning under the Growth Management Act. Companion bill is HB 1224.	✓			Failed upon adjournment
** SB 5805 <i>Senator Steve Hobbs (D)</i> Proposes to provide a mechanism for local governments and state and federal agencies to perform a coordinated and comprehensive review of projects of statewide significance for economic development and transportation.	✓			Failed upon adjournment
NATURAL RESOURCES				
** 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. Companion bill is SB 5634.	✓	✓		Carry over to 2014 session
** 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 upon adjournment
** HB 1999 <i>Representative Judy Clibborn (D)</i> Proposes to use available technologies to minimize permit delays for proposed compensatory mitigation projects. Intends to optimize the effectiveness of proposed compensatory mitigation projects.	✓			Failed upon adjournment

<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>
** SB 5547 <i>Senator Kevin Ranker (D)</i> Proposes to advise the governor on policies relating to the protection and conservation of ocean resources. Coordinates the implementation of measures to mitigate the impacts of ocean acidification.	✓			Failed upon adjournment
SB 5634 <i>Senator Christine Rolfes (D)</i> Proposes to clarify the Department of Natural Resources' authority to enter into cooperative agreements. Addresses watershed management. Companion bill is HB 1244.	✓	✓	✓	Signed by Governor
SB 5702 <i>Senator Jim Honeyford (R)</i> Proposes to specify that transporting a recreational or commercial watercraft into the state without meeting valid documentation requirements is an aquatic invasive species infraction. Repeals the Aquatic Nuisance Species Committee.	✓	✓	✓	Signed by Governor
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.	✓	✓		Carry over to 2014 session
** HB 1110 <i>Representative David Taylor (R)</i> Proposes to require employers to comply with certain federal standards for the purposes of respirator requirements for asbestos abatement projects.	✓			Failed upon adjournment
** 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 upon adjournment
** HB 1206 <i>Representative Steve Tharinger (D)</i> Proposes to increase administrative flexibility for the Department of Ecology by changing certain programs relevant to the department.	✓			Failed upon adjournment
** HB 1434 <i>Representative Gerry Pollet (D)</i> Proposes to promote community involvement in environmental decision-making.	✓			Failed upon adjournment
** HB 1926 <i>Representative Marcus Riccelli (D)</i> Proposes to require building materials that contain asbestos to be clearly labeled as such by manufacturers, wholesalers, and distributors. Companion bill is SB 5458.	✓			Failed upon adjournment
SB 5002 <i>Senator Jim Honeyford (R)</i> Proposes to require mosquito control districts to the use integrated pest management methods in places where public health vectors are found or are likely to exist.	✓	✓	✓	Signed by Governor
** SB 5255 <i>Senator Maralyn Chase (D)</i> Proposes to require agencies to implement environmental quality and public health policies.	✓			Failed upon adjournment

<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>
SB 5458 <i>Senator Andy Billig (D)</i> Proposes to require building materials that contain asbestos to be clearly labeled as such by manufacturers, wholesalers, and distributors. Companion bill is HB 1926.	✓	✓	✓	Signed by Governor
WASTE				
** HB 1052 <i>Representative Jan Angel (R)</i> Proposes to authorize counties and cities providing urban governmental services within the urban growth areas to choose approved on-site sewage systems as the main source of sewage treatment. Companion bill is SB 5610.	✓			Failed upon adjournment
** HB 1310 <i>Representative Joe Fitzgibbon (D)</i> Proposes to authorize a local government, through its local legislative authority, to choose to regulate consumer access to retail carryout bags. Companion bill is SB 5386.	✓			Failed upon adjournment
** 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.	✓	✓		Carry over to 2014 session
HB 1498 <i>Representative Dave Upthegrove (D)</i> Proposes to require additional information in the annual electronic product recycling reports prepared by the Washington Materials Management and Financing Authority.	✓	✓	✓	Signed by Governor
** HB 1948 <i>Representative Steve Tharinger (D)</i> Proposes to change certain programs relevant to the Department of Ecology in order to increase administrative efficiency.	✓			Failed upon adjournment
** SB 5201 <i>Senator Kevin Ranker (D)</i> Proposes to create the brownfield redevelopment trust fund account to accelerate the cleanup of hazardous waste sites and brownfields throughout the state.	✓			Failed upon adjournment
** SB 5250 <i>Senator Maralyn Chase (D)</i> Proposes to prohibit state agencies from purchasing petroleum-based beverage bottles. Prohibits manufacturers, wholesalers, and retailers from manufacturing, selling, or distributing non-compostable petroleum-based beverage bottles.	✓			Failed upon adjournment
** 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 upon adjournment
** 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 upon adjournment

<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>
** SB 5386 <i>Senator Mark Mullet (D)</i> Proposes to authorize a local government, through its local legislative authority, to choose to regulate consumer access to retail carryout bags. Companion bill is HB 1310.	✓			Failed upon adjournment
** 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.	✓			Failed upon adjournment
** SB 5610 <i>Senator Don Benton (R)</i> Proposes to authorize counties and cities providing urban governmental services within the urban growth areas to choose approved on-site sewage systems as the main source of sewage treatment. Companion bill is HB 1052.	✓			Failed upon adjournment
WATER				
** HB 1016 <i>Representative Jan Angel (R)</i> Proposes to designate facilities and infrastructure of water purveyors as essential public facilities under growth management planning requirements. Companion bill is SB 5612.	✓	✓		Carry over to 2014 session
HB 1113 <i>Representative Shelly Short (R)</i> Proposes to require the Department of Ecology to identify data source validity prior to taking actions related to water quality, shore lands, and environmental assistance programs.	✓	✓	✓	Signed by Governor
** 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.	✓	✓		Carry over to 2014 session
** HB 1196 <i>Representative Bruce Chandler (R)</i> Proposes to implement an integrated water resource management plan in the Yakima river basin.	✓			Failed upon adjournment
** 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.	✓			Failed upon adjournment
** 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.	✓			Failed upon adjournment
** HB 1239 <i>Representative Dean Takko (D)</i> Proposes to modify powers of water-sewer districts. Specifies how water sewer districts can use the powers of eminent domain and condemnation. Concerns waterworks used for electric generation. Companion bill is SB 5185.	✓			Failed upon adjournment

<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 1350 <i>Representative Bruce Chandler (R)</i> Proposes to address future development criteria with regard to exempt well withdrawals in order to allow better allocation of water resources.	✓			Failed upon adjournment
** 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.	✓			Failed upon adjournment
** HB 1414 <i>Representative Bruce Chandler (R)</i> Proposes to implement the integrated water resource management plan in the Yakima river basin. Companion bill is SB 5367.	✓			Failed upon adjournment
** HB 1438 <i>Representative Vincent Buys (R)</i> Proposes to address de facto changes in water rights for irrigation purposes that involved conversion to more efficient irrigation technologies. Companion bill is SB 5199.	✓			Failed upon adjournment
HB 1512 <i>Representative Dean Takko (D)</i> Proposes to clarify the authority of water purveyors to provide fire suppression water facilities and services and to recover costs for those facilities and services. Provides liability protection.	✓	✓	✓	Signed by Governor
** 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 to point of withdrawal to reduce potential surface water impacts. Companion bill is SB 5463.	✓			Failed upon adjournment
** 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 upon adjournment
** SB 5071 <i>Senator Jerome L. Delvin (R)</i> Proposes to extend the time period permitted to put water to beneficial use.	✓			Failed upon adjournment
** SB 5185 <i>Senator Pam Roach (R)</i> Proposes to modify certain powers of water-sewer districts. Companion bill is HB 1239.	✓			Failed upon adjournment
** SB 5192 <i>Senator Jim Honeyford (R)</i> Proposes to require a water-sewer district that imposes a connection charge to deposit any revenue generated from the charge into a separate account to be used solely for expanding existing facilities and for new facilities.	✓			Failed upon adjournment
** SB 5199 <i>Senator Doug Ericksen (R)</i> Proposes to establish that the standards for a change of use application for certain types of water rights are the laws in place at the time the change of use was implemented. Companion bill is HB 1438.	✓	✓		Carry over to 2014 session

<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>
** 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.	✓	✓		Carry over to 2014 session
** 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 upon adjournment
** 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.	✓	✓		Carry over to 2014 session
SB 5324 <i>Senator Jim Honeyford (R)</i> Proposes to address mosquito abatement in stormwater control retention ponds.	✓	✓	✓	Signed by Governor
** 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 upon adjournment
** SB 5367 <i>Senator Jim Honeyford (R)</i> Proposes to implement the integrated water resource management plan in the Yakima river basin. Companion bill is HB 1414.	✓	✓	✓	To Governor
** 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.	✓	✓		Carry over to 2014 session
** 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.	✓			Failed upon adjournment
** 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.	✓			Failed upon adjournment
** 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 to point of withdrawal to reduce potential surface water impacts. Companion bill is HB 1548.	✓			Failed upon adjournment
** SB 5612 <i>Senator Mark G. Schoesler (R)</i> Proposes to designate that facilities and infrastructure of water purveyors are essential public facilities under growth management planning requirements. Companion bill is HB 1016.	✓			Failed upon adjournment

<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>
**SB 5677 <i>Senator Linda Parlette (R)</i> Proposes to authorize a water management board in the Methow watershed (catalog unit 17020008 in north central Washington).	✓			Failed upon adjournment
**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.	✓			Failed upon adjournment

Department of Defense Activity

ENERGY

FEDERAL AGENCIES RELEASE ENERGY AND SUSTAINABILITY PERFORMANCE UPDATES As part of the Obama Administration's initiative to reduce energy use, pollution, and waste, and to save money, on 31 MAY 13, [federal agencies released annual updates](#) that show significant progress toward energy and sustainability goals. Under [Executive Order 13514](#), President Obama directed federal agencies to reduce their carbon pollution, increase renewable energy use, and meet energy and water efficiency goals. Annual performance updates document agencies' progress and help them to improve their energy efficiency and reduce costs and waste in their operations. Refer to the [DoD Sustainability/Energy Scorecard for 2012](#) for details.

DoD RENEWABLE ENERGY PROJECT MAP The U.S. Army Corps of Engineers released a [DoD Renewable Energy Project Viewer](#). The viewer is an interactive map that shows DoD renewable energy projects. At the time of publication, the viewer is current through 2010.

HAZARDOUS CHEMICALS

EMERGING CONTAMINANTS WATCH LIST Three chemicals were added to the DoD's [Materials of Evolving Interest Team \(MERIT\) Emerging Contaminants Watch List](#) and one chemical on the list was selected for re-assessment. The chemicals are:

- 5-nitro-1,2,4-triazol-3-one (NTO),
- 2,4-dinitroanisole (DNAN),
- n-nitrosodimethylamine (NDMA), and
- 1,4-dioxane

NTO and DNAN are components of safer, drop-in replacements for traditional explosives. NDMA was used in the manufacture of rocket fuel, and can be produced during the chlorination of wastewater. The chemical 1,4-dioxane, which is currently on the watch list, is an ingredient in deicing fluids, antifreeze, cleaners, solvents, lubricants, and inspection penetrant removers used by the DoD. For more information, contact [Drew Rak](#) at (443) 558-5010.

NATURAL RESOURCES

JOINT BASE LEWIS MCCORD: REPI GRANT Joint Base Lewis-McChord (JBLM) was the recipient of a [Readiness and Environmental Protection Integration \(REPI\) Challenge Grant](#). This \$3.5M grant supports JBLM's [Army Compatible](#)

[Use Buffer \(ACUB\) Program](#) by financing its [partnerships](#) for habitat protection with the U.S. Fish and Wildlife Service (FWS); U.S. Department of Agriculture Natural Resources Conservation Service; Thurston County, Washington; the state of Washington; and private landowners. The grant will be used to protect more than 2,000 acres of off-post candidate endangered species habitat to help relieve potential restrictions on-post in JBLM maneuver areas.

AIR FORCE GUIDANCE TO STREAMLINE ENVIRONMENTAL REVIEWS The Air Force [announced](#) program guidance to streamline the environmental impact analysis process under the National Environmental Policy Act (NEPA). The guidance standardizes approaches and emphasizes early interdisciplinary planning, promotes coordination, and implements consistent processes to achieve timely decisions. The goal of program is to accelerate the formal NEPA review process to six months or less for environmental assessments and 12 months for environmental impact statements. The new guidance and other current information on the Environmental Impact Analysis Program is available on the Air Force [eDASH website](#) for users with a common access card (CAC) using a “.mil” domain. For more information, contact the Air Force NEPA Center at (210) 395-8448.

Federal Activity

MEDIA-SPECIFIC REGULATIONS BY STATE A new [website](#) provides access to media-specific regulations by state. It provides complete listings of state and federal regulations on selected environmental topics along with individual state contacts, information, and permits for downloading. The website was developed by the [National Center for Manufacturing Sciences](#). Funding for this project is provided by [EPA](#) under the [National Compliance Assistance Centers](#) program.

AIR

REVISIONS TO LEAD REPORTING THRESHOLD - POINT SOURCES EPA is proposing to lower the current reporting threshold for sources of lead emissions to report as point sources ([78 FR 37164](#)). The reporting threshold is applicable to state, local, and tribal agencies as outlined in EPA's [Air Emissions Reporting Requirements rule](#) (AERR). The current AERR threshold for determining if a stationary source of lead emissions must be reported as an individual point source, rather than as part of a county-aggregate nonpoint source, is five tons per year (tpy). EPA is proposing to lower the AERR emissions reporting threshold for lead emitters to one-half tpy. EPA expects that approximately 30 additional facilities nationwide would be required to report as point sources due to this change, since most of the sources emitting lead greater than one-half tpy already report as point sources due to their emissions of other criteria pollutants. Comments are due 19 AUG 13. For more information, contact [Ron Ryan](#) at (919) 541-4330.

SIP REQUIREMENTS FOR 2008 OZONE NAAQS EPA issued a notice of proposed rulemaking to implement the 2008 ozone national ambient air quality standards (NAAQS) ([78 FR 34177](#)). The proposed rule addresses a range of State Implementation Plan (SIP) requirements for the 2008 ozone NAAQS, including requirements pertaining to attainment demonstrations, reasonable further progress, reasonably available control technology, reasonably available control measures, new source review requirements in nonattainment areas, emission inventories, the timing of SIP submissions, and compliance with emission control measures in the SIP. Other issues also addressed in the proposed rule are the revocation of the 1997 ozone NAAQS and anti-backsliding requirements that would apply when the 1997 ozone NAAQS is revoked. A public hearing was held 25 JUN 13. Comments are due 5 AUG 13. For more information, contact [Karl Pepple](#) at (919) 541-2683.

OREGON SIP: HEAT SMART PROGRAM EPA is approving revisions to the Oregon SIP submitted in 2011 and 2012 ([78 FR 37124](#)). The revisions relate to Oregon's Heat Smart program, rules for enforcement procedures and civil penalties, and contain minor revisions and clarifications to general air pollution definitions, rules for stationary source notification

requirements, and requirements for fuel burning. The final rules are effective 22 JUL 13. For more information, contact [Justin Spenillo](#) at (206) 553-6125.

CLIMATE CHANGE

CARBON SEQUESTRATION POTENTIAL The U.S. Geological Survey (USGS) [released](#) the results of an assessment the agency conducted of the potential for CO₂ storage in the U.S. The agency found that the U.S. could sequester as much as 3,000 metric gigatons of CO₂. The survey assessed carbon capture and storage (CCS) opportunities in 36 geologic basins and found the largest potential is in the Coastal Plains region in the Southeast, which accounts for 65% of the identified storage. Two other areas with significant storage capacity include Alaska and the Rocky Mountains/Northern Great Plains region. The study did not consider the costs of installing CCS, or access to the sequestration basins due to land management or regulatory restrictions. The study was released one day after President Obama announced a national climate plan that includes a directive for EPA to set power plant emissions limits for both new and existing facilities via new source performance standards (NSPS) that could mandate some form of carbon capture and storage.

ENERGY

eGALLON DOE [announced](#) a new website that allows consumers to compare the costs of fueling electric vehicles versus driving using gasoline. The [eGallon website](#) provides a metric that is easily comparable to the traditional gallon of unleaded fuel. That comparison is made by calculating how much it would cost to drive an electric vehicle the same distance as a similar conventional vehicle on a gallon of gasoline.

TRANSFORMING OUR NATION'S ELECTRIC GRID THROUGH IMPROVED SITING, PERMITTING, AND REVIEW - PRESIDENTIAL MEMORANDUM President Obama signed a new [Presidential memorandum](#) titled "Transforming our Nation's Electric Grid Through Improved Siting, Permitting, and Review." The memorandum addresses interagency cooperation in improving the siting, permitting, and review processes for all electric transmission projects, both onshore and offshore, requiring federal approval. The memo builds on the work of the previously created [Rapid Response Team for Transmission](#). The memo discusses designation of energy right of way corridors, and notes the desirability of minimizing impacts to the nation's aviation system and to the mission of the Armed Forces.

REGULATION OF FUELS AND FUEL ADDITIVES EPA is proposing amendments to three separate sets of regulations relating to fuels ([78 FR 36041](#)). Proposed changes include:

- Amending certain renewable fuels standard program regulations to include:
 - addition of new pathways for renewable diesel, renewable naphtha, and renewable electricity (used in electric vehicles) produced from landfill biogas;
 - a lifecycle analysis of advanced butanol and discussion of the potential to allow for commingling of compliant products at the retail facility level; and
 - various changes related to biogas, including changes related to the revised compressed natural gas (CNG)/liquefied natural gas (LNG) pathway and associated recordkeeping/reporting provisions.
- Various changes to the [E15](#) misfueling mitigation regulations ([40 CFR Part 80, Subpart N](#)); and
- Changes to the survey requirements associated with the ultra-low sulfur diesel (ULSD) program.

Comments are due 15 JUL 13. For more information, contact [Joseph Sopata](#), (202) 343-9034.

HYDRAULIC FRACTURING ON FEDERAL LAND The Bureau of Land Management (BLM) extended the public comment period on the [24 MAY 13](#) revisions to its original [2012 proposed rule](#) to regulate hydraulic fracturing on federal and Indian land ([78 FR 34611](#)). Comments are due 23 AUG 13.

U.S. SENATE BILL S.1100 would repeal Section 526 of the 2007 Energy Independence and Security Act that prohibits the federal government, including the U.S. military, from purchasing transportation fuel produced from coal, oil shale, and oil sands. Introduced 6 JUN 13.

THREATENED & ENDANGERED SPECIES

GRAY WOLF DELISTING AND MEXICAN WOLF LISTING - PROPOSED RULEMAKING FWS is proposing to remove the gray wolf (*Canis lupus*) from the List of Endangered and Threatened Wildlife and to maintain endangered status for the Mexican wolf by listing it as a subspecies (*Canis lupus baileyi*) (78 FR 35663). The agency also completed a status review of *C. lupus* in the Pacific Northwest, and determined that it is not a listable entity. Comments are due 29 JUL 13. For more information, contact FWS Ecological Services Department at (703) 358-2171.

UMTANIUM DESERT BUCKWHEAT & WHITE BLUFFS BLADDERPOD FWS scheduled two public hearings associated with the recent re-opening of the public comment period on the agency's [proposed listing](#) and designation of critical habitat for Umtanium Desert buckwheat (*Eriogonum codium*) and White Bluffs bladderpod (*Physaria douglasii subsp. tuplashensis*) (78 FR 38895). The public hearings are scheduled for 11 JUL 13. The species are found in Benton and Franklin counties, Washington. For more information, contact Ken Berg at (360) 753-9440.

RECOVERY PLAN FOR THE NORTH PACIFIC RIGHT WHALE The Nation Marine Fisheries Service (NMFS) announced the adoption and availability of the final [Recovery Plan for the North Pacific right whale](#). NMFS stated that the status of North Pacific right whales is unknown, and that the primary purpose of the recovery plan is to provide a research strategy to obtain data necessary to determine distribution and estimate population abundance, trends, and structure, and to identify factors that may be limiting North Pacific right whale recovery. NMFS stated that considering the rarity of North Pacific right whales in the Navy's operating areas; the low frequency of Navy operations in Gulf of Alaska, the Pacific Northwest, and Hawaii; the short duration of many Navy training activities; and the mitigation procedures the Navy follows, NMFS believes these activities have a low potential to adversely affect North Pacific right whales. The [Final Recovery Plan](#) is available on the NMFS website.

PUBLIC COMMENT PERIOD EXTENDED: ILIAMNA LAKE HARBOR SEALS MNFS extended the public comment period on its status review of Pacific harbor seals (*Phoca vitulina richardii*) in Iliamna Lake (78 FR 34309). The public comment period on the 17 MAY 13 notice is extended to 16 AUG 13. For more information, contact Mandy Migura at (907) 271-1332.

OREGON COAST COHO SALMON RECOVERY PLAN NMFS announced its intent to prepare a recovery plan for Oregon Coast coho salmon (*Oncorhynchus kisutch*) evolutionarily significant unit (ESU) (78 FR 38011). Comments are due 25 JUL 13. For more information, contact Rob Walton at (503) 231-2285.

TOXICS

REPLACING MERCURY-CONTAINING NON-FEVER THERMOMETERS EPA released a guide on [replacing mercury-containing non-fever thermometers](#). The guide provides federal agencies with information to help them identify and replace mercury-containing non-fever thermometers in their facilities with mercury-free thermometers. The guide is also intended to help federal agencies safely dispose of the removed thermometers. For more information, contact Robert Courtnage at (202) 566-1081.

TRI REPORTING - ADDITION OF NONYLPHENOL CATEGORY EPA is proposing to add a nonylphenol category to [toxic release inventory \(TRI\) reporting rules](#) (78 FR 37176). Nonylphenol is mainly used in the manufacture of nonylphenol ethoxylates, which are nonionic surfactants used in a wide variety of industrial applications and consumer products. Nonylphenol is persistent in the aquatic environment, moderately bioaccumulative, and extremely toxic to aquatic organisms. EPA does not appear to be proposing a special (lower) reporting threshold for nonylphenol; therefore, reporting thresholds would be 10,000 pounds (otherwise used at a facility) or 25,000 pounds if manufactured, imported, or processed at a facility. For more information, contact [Daniel Bushman](#) at (202) 566-0743.

WATER

ALTERNATIVE TEST PROCEDURES FOR DRINKING WATER CONTAMINANT ANALYSIS EPA approved 84 alternative methods for various drinking water analyses ([78 FR 32558](#)). The new methods are listed along with other previously expedited methods in [40 CFR Part 141 Appendix A to Subpart C](#) and on [EPA's drinking water methods website](#). For more information, contact [Glynda Smith](#) at (513) 569-7652.

NATIONAL STANDARDS ON RAINWATER AND STORMWATER HARVESTING The American Society of Plumbing Engineers and the American Rainwater Catchment Systems Association are developing an [American national standard on stormwater harvesting](#) systems. The new standard will establish requirements for designing post-construction alternative stormwater systems in lieu of potable water systems for new and redeveloped projects, including source control methods, site design parameters, stormwater treatment methods, and system maintenance. This standard complements a draft [rainwater collection guide](#) for rooftop harvesting of rainfall also under development. The standards, when final, will be part of the plumbing code.

BALLAST WATER DISCHARGE REPORTING The U.S. Coast Guard is proposing to amend its existing [ballast water management](#) (BWM) reporting and recordkeeping requirements ([78 FR 33744](#)). This action would expand reporting requirements to certain vessels previously exempt from these rules. Vessels with ballast tanks operating exclusively on voyages between ports or places within a single Captain of the Port (COTP) Zone would be required submit an annual report of their BWM practices. The Coast Guard is also proposing to simplify reporting requirements. DoD or Coast Guard vessels are exempt and are subject to [46 U.S.C. 4713](#), and the "Uniform National Discharge Standards for Vessels of the Armed Forces" (UNDS) ([33 U.S.C. 1322\(n\)](#)). Comments are due 5 AUG 13. For more information, contact [Rodney Wert](#) at (202) 372-1434.

Professional Development

FEDERAL FACILITIES ENVIRONMENTAL STEWARDSHIP AND COMPLIANCE ASSISTANCE CENTER - [FedCenter.gov](#)

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](#);
- 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.

22-23 JUL 12, SAN DIEGO, CA [3rd Bi-Annual Energy Development on Tribal Lands](#) Learn how to navigate the legal and cultural complexities associated with the development of renewable energy projects on tribal lands.

5-6 AUG 13, WASHINGTON, DC [The American Energy Security Summit](#) Hosted by the [United States Leadership Forum](#), the conference features top government and industry leaders, providing the latest details on federal energy priorities, programs, and contracts, featuring the Departments of Defense, Energy, Agriculture, Veterans Affairs, and other federal agencies. Topics include state government and local government energy priorities, programs, and contracts; energy efficiency priorities, including achieving net zero installations and advanced lighting solutions; and clean energy priorities, including biofuels for jets and electric and natural gas-powered ground transportation.

VARIOUS DATES AND TIMES ONLINE

25 JUL 13, GENERAL SERVICES ADMINISTRATION (GSA) CARBON FOOTPRINT TOOL - Live Demonstration of New Features This presentation will highlight GSA Carbon Footprint Tool basics as well as the new Energy Star Portfolio Manager Import functionality.

***22 OCT 13, INTRODUCTION TO UTILITY ENERGY SERVICE CONTRACTS (UESC)** This [Federal Energy Management Program \(FEMP\) UESC Webinar](#) provides attendees with an overview of the contracting options and services available from their local utility companies to engineer, finance, and install cost-effective energy and water savings projects. Participants are walked through the typical project process from the audit phase to commissioning the equipment. This webinar introduces participants to UESCs and helps them determine if this alternative financing opportunity is right for them.

***UTILITY ENERGY PROJECT INCENTIVE FUNDS** This FEMP course teaches federal agencies about financing the capital costs of energy improvement projects from savings generated through energy efficiency measures funded by utilities, public benefit funds, and other resources. This training opportunity targets federal energy, environmental, and fleet professionals and is offered at no cost by leading experts. [The training session is delivered live via satellite or through streaming media at your desktop.](#)

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. Presentations include: [From Icefield to Ocean: Impacts of Glacier Change in Alaska](#); [Fish Habitat and Climate Change](#); [Impacts of Climate Change and Melting Glaciers on Coastal Ecosystems in the Nearshore Waters of the Gulf of Alaska](#); [Climate Change in Higher Elevation Ecosystems](#); and [Can Camouflage Keep up with Climate Change](#).

Production Tax Credit Extension, Process, and Impacts Webinar This webinar featured Paul Holshouser of the American Wind Energy Association and Jon Chase from Vestas, who provided an insiders' perspective of the last-minute Production Tax Credit extension, including details about how this extension differs from past extensions, current status of the rule implementation, and the potential impacts on the wind industry.

Water's Impact on the Energy Sector This webinar featured Stacy Tellinghuisen, senior energy/water policy analyst at Western Resource Advocates, who shared 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 INITIATIVE – 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. For detailed webinar descriptions please visit the [REPI website](#).

DEFENSE AND FEDERAL ENVIRONMENTAL TRAINING/AWARENESS The U.S. Army offers numerous environmental training courses. Information on training providers and fiscal year class schedules are available on the [US Army Environmental Command \(AEC\) website](#).

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.

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.

INTERSTATE TECHNOLOGY AND REGULATORY COUNCIL (ITRC) INTERNET BASED TRAINING 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.

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.

NATIONAL ENFORCEMENT TRAINING INSTITUTE EPA environmental enforcement training opportunities are offered (e-learning, classroom, and webinar) for federal, state, tribal and local government environmental enforcement professionals.

USACE PROSPECT TRAINING USACE announces its FY13 PROSPECT 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 FY13 The Navy and the Interservice Environmental Education Review Board (ISEERB) Environmental Training schedule for FY13 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 FY13 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. Fees may vary.

An * indicates the first time a training or professional development opportunity appears in the Review.

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

Howard Killian

Army Coordinator Hawaii
(808) 226-8517
Killianh001@hawaii.rr.com

Jeff Andrews

Army Coordinator Region 10
(206) 316-3152
jeffrey.a.andrews.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

Clare Mendelsohn

DoD REC Region 10
(415) 977-8849
Clare.Mendelsohn@us.af.mil

Clark Pitchford

Navy REC Region 10
(360) 315-5440
clark.pitchford@navy.mil

Robert Shirley

Air Force REC Region 10
(415) 977-8846
robert.shirley.2@us.af.mil

Jack Hug

Coast Guard Pacific Area
(510) 437-2747
Jack.p.hug@uscg.mil

Acronyms

AEC	Army Environmental Command
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
DO	dissolved oxygen
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
HID	high intensity discharge
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
NF₃	nitrogen trifluoride
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
SOx	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
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
WPCF	Water Pollution Control Facility
WRAP	Western Regional Air Partnership