



U.S. ARMY

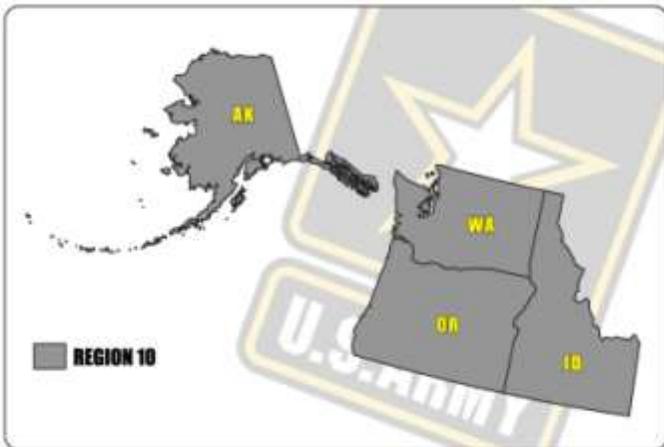
# Western Review of Legislative & Regulatory Actions Region 10



The U.S. Army Regional Environmental & Energy Office

April 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.reese2@us.army.mil](mailto:nancy.reese2@us.army.mil).



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### Net Zero Progress Report Due By End of 2013

WASHINGTON (Army News Service, March 4, 2013) -- During [an overview](#) of where the Army is headed in the evolution of its three "Net Zero" programs, the Army's Assistant Secretary for Installations, Energy and Environment said the department will make available by the end of the year a progress report on all three programs.

Additionally, the Army will create a garrison commander's guide to Net Zero -- one that will account for differences in both climate and geography across installations, said Ms. Katherine Hammack, Assistant Secretary of the Army for Installations, Energy and Environment, while speaking before the Atlantic Council, Feb. 27, in Washington, D.C.

"The intent of releasing Net Zero data on our projects is so it can not only be a tool for the Army, but it can also be a tool used by communities, cities and even by large campuses like universities to learn from what we've tried, what's worked, and maybe a little of what hasn't worked," Ms. Hammack said.

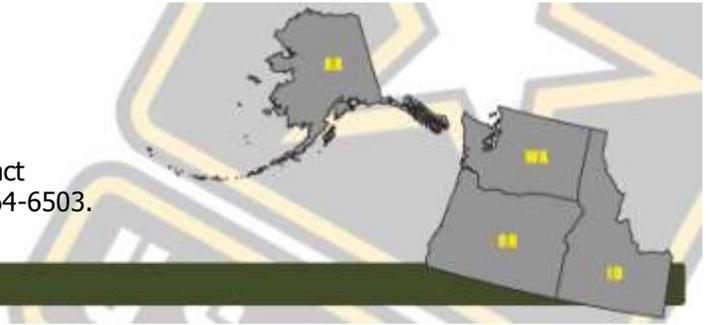
"Our (the Army) bill last year was about \$1.3 billion for utilities in the U.S.," Hammack said. "If you take into account the liquid fuels that we use in theater, we're somewhere around \$5 billion a year. We use a lot of energy, and that's why we looked at Net Zero."

Ms. Hammack said the Army's approach to Net Zero includes energy, water and waste because the three are interconnected.

"An overarching Net Zero plan must address the interconnections between energy, water, and waste. When you use water, it takes energy to pipe that water, to distribute that water, to clean that water and to process that water so we have to take into account water consumption when you're looking at energy consumption," she said. (Byline credit to J.D. Leipold)

# Region 10

For more information on any state issues in Region 10, contact [Jeff Andrews](#), Region 10 Environmental Coordinator (206) 764-6503.



## ENERGY

**SUSTAINABLE ENERGY TRANSMISSION AND SUPPLY DEVELOPMENT PROGRAM** The [Alaska Industrial Development and Export Authority](#) released a [supplemental notice](#) to its [original notice](#) of proposed amendments to [Title 3 of the Alaska Administrative Code \(AAC\)](#). The amendments address the authority's new sustainable energy transmission and supply development program and its existing loan participation and other financing programs. The amendments would:

- Establish regulations for the sustainable energy transmission and supply development program (new Chapter 101);
- Amend the existing tax-exempt loan participation program (3 AAC 99.200 - 3 AAC 99.290);
- Amend the existing taxable loan participation program (3 AAC 99.300 - 3 AAC 99.390); and
- Make conforming changes to related programs.

A public hearing was held 20 MAR 13. Comments were due the same day.

## WATER

**DELIVERY PROHIBITION: SUBSTANDARD UNDERGROUND STORAGE TANKS** The Alaska Department of Environmental Conservation (ADEC) is proposing to [adopt a prohibition](#) on the delivery of petroleum products to a substandard underground storage tank. This action would amend [18 AAC 78.018](#). Comments were due 10 APR 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](#).

**APDES PERMIT: DOMESTIC WASTEWATER TREATMENT LAGOONS DISCHARGING TO SURFACE WATER** The ADEC released the Alaska Pollutant Discharge Elimination System (APDES) [preliminary draft general permit](#) for Domestic Wastewater Treatment Lagoons Discharging to Surface Water (AKG573000). The permit would cover discharges from domestic wastewater treatment lagoons that provide equivalent to secondary or secondary treatment and that discharge less than 1,000,000 gallons per day to fresh or marine surface water. The ADEC posted a [copy of the preliminary permit](#) and a [fact sheet](#) to its [APDES website](#). Comments were due 3 APR 13. For more information, contact [Marie Klingman](#) at (907) 451-2101.

**ANADROMOUS WATERS CATALOG AND ATLAS** The Alaska Department of Fish and Game is proposing [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). The list of rivers, lakes, and streams will be updated, including additions, deletions, and changes to the legal descriptions of many of these waters. Minor revisions will be made to the introduction of the Catalog and Atlas, including updates to definitions. Species-specific information will be used in place of undifferentiated species information wherever possible. The Catalog and Atlas are adopted by reference in [5 AAC 95.011](#). Comments were due 6 APR 13. For more information, contact [Michael Daigneault](#) at (907) 267-2172.

## LEGISLATIVE DEVELOPMENTS

The [Alaska 2013 legislative session](#) began 15 JAN 13 and adjourns 14 APR 13. An \* indicates the first time a bill appears in the 2013 Review.

<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>
<b>AIR/CLIMATE CHANGE</b>				
<b>ENERGY</b>				
<a href="#">HB 103</a> <i>Representative Charisse E. Millett (R)</i> Proposes to establish special registration fees for alternative fuel vehicles.	✓			
* <a href="#">HB 163</a> <i>Representative Tammie Wilson (R)</i> Proposes to prohibit the burning of certain fuels in solid fuel burning devices.	✓			
<a href="#">HJR 7</a> <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.	✓			
<a href="#">HR 2</a> <i>House Rules Committee</i> Proposes to establish a House Special Committee on In-State Energy.	✓	✓		Approved
<a href="#">SJR 8</a> <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.	✓	✓		
<a href="#">SR 3</a> <i>Senate Rules Committee</i> Proposes to establish a Senate Special Committee on In-State Energy.	✓	✓		Approved
<b>LAND USE</b>				
<a href="#">HB 77</a> <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.	✓	✓		
<a href="#">HB 123</a> <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.	✓			

<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>
<p><a href="#">SB 26</a>  <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.</p>	✓			
<b>NATURAL RESOURCES</b>				
<p><a href="#">HB 89</a>  <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.</p>	✓			
<p><a href="#">SJR 2</a>  <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.</p>	✓	✓	✓	Approved
<b>Other</b>				
<p><a href="#">HCR 3</a>  <i>Representative Charisse E. Millett (R)</i>  Proposes to establish a Joint Committee on Federal Overreach.</p>	✓			
<p><a href="#">HR 4</a>  <i>House Rules Committee</i>  Proposes to establish a House Special Committee on Military and Veterans' Affairs.</p>	✓	✓		Approved
<p>*<a href="#">HCR 6</a>  <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.</p>	✓			
<p>*<a href="#">HJR 13</a>  <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.</p>	✓			
<b>WASTE</b>				

<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>
<b>WATER</b>				
<b>HB 36</b> <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
<b>HB 78</b> <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.	✓			
<b>SB 27</b> <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.	✓	✓		
<b>SB 29</b> <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.	✓			



**WATER**

**TMDL: BIG WOOD SUBBASIN** The Idaho Department of Environmental Quality (IDEQ) is [requesting public comment](#) on proposed plans to address elevated temperatures in streams within the Big Wood River Subbasin. The subbasin is located in south-central Idaho, originating above Sun Valley and extending to the Snake River Plain near Gooding. The [Big Wood River Tributaries Temperature Total Maximum Daily Loads Addendum](#) proposes to establish total maximum daily loads (TMDLs) to reduce warming in the two creeks and restore them to conditions supporting their beneficial uses. The addendum also proposes to remove Black Canyon Creek from the list of water bodies impaired by temperature due to lack of sufficient water to be assessed. Comments are due 19 APR 13. For more information, contact [Sue Switzer](#) at (208) 736-2190.

**WATER QUALITY STANDARDS** The 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 Environmental Protection Agency’s (EPA’s) 10 MAY 12 disapproval of the state’s 2006 water quality standard rule on the basis of disputed fish consumption values. A public meeting is scheduled for 10 APR 13. A [negotiated rulemaking meeting](#) is scheduled for 29 MAY 13. The rulemaking website is available at <http://www.deq.idaho.gov/laws,-rules,-etc/deq-rulemakings/docket-no-58-0102-1201.aspx>.

**LEGISLATIVE DEVELOPMENTS**

The [Idaho 2013 legislative session](#) began 7 JAN 13 and adjourned 4 APR 13. An \* indicates the first time a bill appears in the 2013 Review.

<i>Idaho Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
<b>AIR/CLIMATE CHANGE</b>				
<b>ENERGY</b>				
<b>LAND USE</b>				
<p><b>*HB 136</b>  <i>Local Government Committee</i>  Proposes to specify that exercising powers under the Land Use Planning Act is discretionary. Specifies that mandatory provisions only apply to authorities that elect to exercise such powers. Requires enforceable provisions of land use plans be approved by the voters.</p>	✓			Failed upon adjournment
<p><b>*HB 172</b>  <i>Transportation and Defense Committee</i>  Proposes to revise provisions regarding encroachments, removal, notice, and penalties upon highways or public rights-of-way.</p>	✓			Failed upon adjournment
<b>NATURAL RESOURCES</b>				
<p><b>*HB 143</b>  <i>Resources and Conservation Committee</i>  Proposes to repeal and add to existing law related to invasive species. Transfers issuance of invasive species stickers for non-motorized boats from the Department of Parks and Recreation to the Department of Fish and Game.</p>	✓			Failed upon adjournment
<p><b>SB 1061</b>  <i>Resources and Conservation Committee</i>  Proposes to assert state primacy over the management of Idaho's fish and wildlife. Specifies that it is against the policy of the state of Idaho to introduce or reintroduce any federally listed species onto lands within the state or into state waters without state consultation and approval.</p>	✓	✓	✓	Signed by Governor
<b>OTHER</b>				
<p><b>*HB 202</b>  <i>State Affairs Committee</i>  Proposes to amend the Idaho Administrative Procedures Act to provide additional requirements relating to the public notice of proposed rulemaking. Specifies additional requirements relating to a notice of adoption of a pending rule.</p>	✓	✓	✓	To Governor
<p><b>*SCR 127</b>  <i>State Affairs Committee</i>  Proposes to authorize a committee to monitor energy, environment, and technology issues.</p>	✓	✓	✓	Approved
<b>WASTE</b>				
<p><b>*HB 37</b>  <i>Environment, Energy, and Technology Committee</i>  Proposes to amend existing law relating to the Wood and Mill Yard Debris Committee. Revises provisions relating to committee appointments and meetings.</p>	✓	✓	✓	Signed by Governor
<p><b>*SB 1159</b>  <i>State Affairs Committee</i>  Proposes to establish provisions relating to solid waste disposal compliance notice and meeting provisions.</p>	✓			Failed upon adjournment

<i>Idaho Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
<b>WATER</b>				
<a href="#">HB 38</a> <i>Environment, Energy, and Technology Committee</i> Proposes to ratify and approve the Comprehensive State Water Plan as adopted by the Idaho Water Resource Board on 28 NOV 12.	✓			Failed upon adjournment
<a href="#">HB 48</a> <i>Resources and Conservation Committee</i> Proposes to add a security (in the form of a bond, letter of credit, or other acceptable surety) requirement for all Class II injection well permits.	✓	✓	✓	Signed by Governor
<a href="#">HB 49</a> <i>Resources and Conservation Committee</i> Proposes to define Class II injection well as a deep injection well for disposal of waste drilling fluids, and to establish filing and permit fees.	✓	✓	✓	Signed by Governor
* <a href="#">HB 131</a> <i>Resources and Conservation Committee</i> Proposes to revise rules related to beneficial use of water. Revises the length of time to complete permitted work and specifies that pending permits are entitled to the maximum qualifying extension.	✓	✓	✓	Signed by Governor
* <a href="#">HB 247</a> <i>Resources and Conservation Committee</i> Proposes to ratify and approve the Comprehensive State Water Plan as adopted by the Idaho Water Resource Board on November 28, 2012.	✓			Failed upon adjournment
* <a href="#">HB 271</a> <i>Revenue and Taxation Committee</i> Proposes to clarify the Department of Environmental Quality's considerations in designating beneficial uses. Requires the department to consult with basin advisory groups and watershed advisory groups.	✓	✓	✓	To Governor
* <a href="#">HCR 9</a> <i>Environment, Energy, and Technology Committee</i> Proposes to reject the Department of Environmental Quality fee rule for public drinking water systems.	✓			Failed upon adjournment



## **ENERGY**

**SITING PHOTOVOLTAIC SOLAR POWER GENERATION FACILITIES** The Oregon Land Conservation and Development Department adopted revisions to its process for siting commercial photovoltaic solar power generation facilities on farm and ranch lands without a [goal 2 exception](#). The amendments raise the threshold for siting commercial photovoltaic facilities on non-arable exclusive farm use (EFU) zoned lands without taking an exception to statewide planning goals from 100 acres to 250 acres. The [final rule](#) was published 1 MAR 13, effective 29 JAN 13. For more information, contact Casaria Tuttle at (503) 373-0050, ext. 322.

## **NATURAL RESOURCES**

**LAND ACQUISITION GRANT PROGRAM** The Oregon Watershed Enhancement Board adopted a rulemaking related to the administration of the land acquisition grant program. The purpose of the rulemaking is to develop an efficient, streamlined process for grant-making. The action repeals the previous land acquisition grant process (695-045-0025 through 695-045-01500) and replaces it with newly adopted rules that describe the components and requirements of

the streamlined grant-making process. The [notice of final rule](#) was published 1 MAR 13, effective 29 JAN 13. For more information, contact Renee Davis-Born at (503) 986-0029.

## OTHER

**RADIOACTIVE MATERIAL SHIPMENTS** The Oregon Department of Energy, Energy Facility Siting Council adopted rules for the transport of radioactive materials. The [final rule](#) amends the Oregon Radioactive Materials Shipment Report form requirements for carriers, clarifies civil penalties for failure to comply with Oregon rules, and makes housekeeping corrections. The reporting requirements described in the rule are consistent with a long-standing process for carriers to report their shipping activity in Oregon. The final rule was published 1 MAR 13, effective 28 JAN 13. For more information, contact Kathy Stuttaford at (503) 373-2127.

## TOXICS

**GUIDANCE FOR ALTERNATIVES ASSESSMENT AND RISK REDUCTION** The [Interstate Chemicals Clearinghouse \(IC2\)](#) and participating states (California, Connecticut, Massachusetts, Michigan, Minnesota, New Jersey, New York, Oregon, and Washington) released a draft version of the [Guidance for Alternatives Assessment and Risk Reduction](#) for public review and comment. The goal of the alternatives assessment is to replace chemicals of concern with inherently safer alternatives, thereby protecting and enhancing human health and the environment. It is based on the alternatives assessment process pioneered by the EPA Design for the Environment (Dfe) program. The IC2 is working with industry, EPA and others to share results and best practices among all the state members. [Comments](#) are due 3 MAY 13. For more information, contact [Alex Stone](#) (Guidance Team Lead) at (360) 407-6758 or [Linda Glasier](#) (Stakeholder Coordinator) at (360) 407-7355. The Washington Department of Ecology, which is leading the guidance effort, has made information on alternatives assessment document available [here](#).

## WATER

**401 WATER QUALITY CERTIFICATION FEE** The Oregon Department of Environmental Quality (ODEQ) adopted [a new fee schedule](#) to certify activities requiring federal licenses and permits to comply with water quality standards. The fees, as directed by [House Bill 21859 \(2009\)](#), are based on projected program costs rather than on volume of material removed or filled. The fees apply to previously exempt activities such as sand and gravel operations, projects that fill two acres of wetlands or more, or remove more than 500 cubic yards of material. The final rule was published 1 MAR 13, effective 16 JAN 13. For more information, contact Steve Mrazik at (503) 229-5379.

**PUBLIC WATER SYSTEM RULES** The ODEQ adopted amendments to rules for suppliers of public water. The amendments address ultraviolet light (UV) disinfection of surface water sources and monitoring for residual chlorine in certain water systems. The [notice of final rule](#) was published 1 MAR 13, effective 29 JAN 13. For more information, contact Brittany Sande at (971) 673-1291.

## LEGISLATIVE DEVELOPMENTS

The [Oregon 2013 legislative session](#) began 14 JAN 13 and adjourns 28 JUN 13. 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 1<sup>st</sup> House</i>	<i>Passed 2<sup>nd</sup> House</i>	<i>Status</i>
<b>AIR/CLIMATE CHANGE</b>				
<a href="#">HB 2237</a> <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 1<sup>st</sup> House</i>	<i>Passed 2<sup>nd</sup> House</i>	<i>Status</i>
<a href="#">HB 2274</a> <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.	✓			
<a href="#">HB 2336</a> <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.	✓			
<a href="#">HB 2412</a> <i>Representative Kevin Cameron (R)</i> Proposes to require the Environmental Quality Commission to implement a motor vehicle pollution control system inspection program.	✓			
* <a href="#">HB 2806</a> <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.	✓			
* <a href="#">HB 2815</a> <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.	✓			
<a href="#">SB 212</a> <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.	✓			
<b>ENERGY</b>				
<a href="#">HB 2106</a> <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.	✓			
<a href="#">HB 2108</a> <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.	✓			
* <a href="#">HB 2203</a> <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.	✓			
* <a href="#">HB 2276</a> <i>Representative Mitch Greenlick (D)</i> Proposes to increase fuel and motor carrier taxes.	✓			
<a href="#">HB 2300</a> <i>Representative Tobias Read (D)</i> Proposes to require the State Department of Energy to promote use of compressed natural gas.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1<sup>st</sup> House</i>	<i>Passed 2<sup>nd</sup> House</i>	<i>Status</i>
<a href="#">HB 2343</a> <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.	✓			
<a href="#">HB 2436</a> <i>House Interim Committee On Energy</i> Proposes to modify provisions of the energy efficiency and sustainable technology loan program.	✓	✓	✓	Signed by Governor
<a href="#">HB 2439</a> <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.	✓			
* <a href="#">HB 2435</a> <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.	✓			
<a href="#">HB 2440</a> <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.	✓			
<a href="#">HB 2472</a> <i>House Interim Committee On Revenue</i> Proposes to extend the sunset for tax credits for renewable energy resource equipment manufacturing facilities.	✓			
<a href="#">HB 2497</a> <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.	✓			
* <a href="#">HB 2704</a> <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.	✓			
<a href="#">HB 2758</a> <i>Committee On Transportation And Economic Development</i> Proposes to require the Department of Transportation to study issues related to alternative fuel vehicles.	✓			
<a href="#">HB 2759</a> <i>Committee On Transportation And Economic Development</i> Proposes to require the Department of Transportation to study issues related to alternative fuels.	✓			
<a href="#">HB 2791</a> <i>Committee On Energy And Environment</i> Proposes to repeal the sunset on provisions related to low carbon fuel standards.	✓			
<a href="#">HB 2795</a> <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.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1<sup>st</sup> House</i>	<i>Passed 2<sup>nd</sup> House</i>	<i>Status</i>
<a href="#">HB 2797</a> <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.	✓			
* <a href="#">HB 2798</a> <i>Committee On Energy And Environment</i> Proposes to provide an alternative formula for determining assessed value of locally assessed alternative energy system.	✓			
* <a href="#">HB 2799</a> <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.	✓			
* <a href="#">HB 2807</a> <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.	✓			
* <a href="#">HB 2819</a> <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.	✓			
* <a href="#">HB 2820</a> <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.	✓			
<a href="#">HB 2860</a> <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.	✓			
* <a href="#">HB 2893</a> <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.	✓			
<a href="#">HB 2940</a> <i>Committee On Energy And Environment</i> Proposes to modify the definition of "baseload electricity" for purposes of greenhouse gas emissions standards.	✓			
<a href="#">HB 2981</a> <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.	✓			
<a href="#">HB 3036</a> <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.	✓			
* <a href="#">HB 3104</a> <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.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1<sup>st</sup> House</i>	<i>Passed 2<sup>nd</sup> House</i>	<i>Status</i>
<a href="#">HB 3242</a> <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.	✓			
<a href="#">*HB 3448</a> <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.	✓			
<a href="#">HJR 9</a> <i>House Interim Committee On Revenue</i> Proposes to amend the Oregon constitution to allow fuel and vehicle taxes to fund transportation projects.	✓			
<a href="#">*SB 242</a> <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.	✓			
<a href="#">SB 321</a> <i>Senator Peter C. Courtney (D)</i> Proposes to extend the sunset for tax credit for renewable energy resource equipment manufacturing facilities.	✓			
<a href="#">SB 354</a> <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.	✓			
<a href="#">*SB 359</a> <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.	✓			
<a href="#">*SB 692</a> <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.	✓			
<b>LAND USE</b>				
<a href="#">*SB 230</a> <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.	✓			
<a href="#">SB 250</a> <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.	✓			

Oregon Bill Number, Sponsor, and Description	Bill Introduced	Passed 1 <sup>st</sup> House	Passed 2 <sup>nd</sup> House	Status
<b>NATURAL RESOURCES</b>				
<a href="#">HB 2022</a> <i>Representative Brian L. Clem (D)</i> Proposes to modify the definition of native fish for purposes of the salmon and trout enhancement program.	✓			
<a href="#">*HB 2147</a> <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.	✓			
<a href="#">HB 2173</a> <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.	✓			
<a href="#">HB 2321</a> <i>Representative Peter Buckley (D)</i> Proposes to require agencies of the executive department to take certain actions to protect the environment.	✓			
<a href="#">*HB 2813</a> <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.	✓			
<a href="#">HB 3248</a> <i>Representative Peter Buckley (D)</i> Proposes to require the State Department of Fish and Wildlife to conduct reviews of wildlife management plans.	✓			
<a href="#">*HB 3337</a> <i>Representative Chris Garrett (D)</i> Proposes to expand state policy relating to ecosystems. Allows compensatory mitigation.	✓			
<a href="#">SB 338</a> <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.	✓			
<a href="#">SB 357</a> <i>Senator Larry George (R)</i> Proposes to establish policy direction for management of state forestlands, including management for timber harvesting.	✓			
<a href="#">SB 432</a> <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.	✓			
<b>OTHER</b>				
<a href="#">HB 2262</a> <i>Governor John Kitzhaber (D)</i> Proposes to define commercial driving privileges for purposes of the Oregon vehicle code.	✓	✓		
<a href="#">HB 2928</a> <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.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1<sup>st</sup> House</i>	<i>Passed 2<sup>nd</sup> House</i>	<i>Status</i>
<a href="#">*HB 3170</a> <i>Representative Paul R. Holvey (D)</i> Proposes to require reporting of commercial or governmental pesticide applications to the Department of Environmental Quality.	✓			
<a href="#">HB 3171</a> <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.	✓			
<a href="#">HB 3199</a> <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.	✓			
<a href="#">HB 3323</a> <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.	✓			
<a href="#">HM 1</a> <i>House Interim Committee On Energy</i> Proposes to urge Congress to modernize the Toxic Substances Control Act.	✓			
<b>WASTE</b>				
<a href="#">HB 2048</a> <i>Governor John A. Kitzhaber (D)</i> Proposes to repeal the sunset on the architectural paint stewardship program.	✓			
<a href="#">HB 2075</a> <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.	✓			
<a href="#">HB 2284</a> <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.	✓			
<a href="#">HB 2438</a> <i>House Interim Committee On Energy</i> Proposes that conversion of certain waste plastics to oil using pyrolysis is considered recycling for certain purposes.	✓			
<a href="#">HB 2659</a> <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.	✓			
<a href="#">HB 2938</a> <i>Committee On Energy And Environment</i> Proposes to prohibit persons from knowingly disposing of rechargeable batteries as solid waste.	✓			
<a href="#">SB 113</a> <i>Senator Peter C. Courtney (D)</i> Proposes to prohibit use of single-use checkout bags except in certain cases.	✓			
<a href="#">SB 248</a> <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.	✓			

Oregon Bill Number, Sponsor, and Description	Bill Introduced	Passed 1 <sup>st</sup> House	Passed 2 <sup>nd</sup> House	Status
<b>WATER</b>				
<a href="#">HB 2258</a> <i>Governor John Kitzhaber (D)</i> Proposes to make legislative findings regarding need for water supply management and merits of water banking.	✓			
<a href="#">HB 2259</a> <i>Governor John Kitzhaber (D)</i> Proposes to increase certain fees charged by the Water Resources Department.	✓			
<a href="#">HB 2396</a> <i>Representative Brad Witt (D)</i> Proposes to amend the definition of debris for purposes of in-channel removal-fill provisions.	✓	✓		
<a href="#">*HB 2809</a> <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.	✓			
<a href="#">*HB 2810</a> <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.	✓			
<a href="#">*HB 2811</a> <i>Committee On Energy And Environment</i> Proposes to direct the Water Resources Department to establish a water banking program.	✓			
<a href="#">*HB 2842</a> <i>Representative Cliff Bentz (R)</i> Proposes to prohibit the Department of Environmental Quality from imposing any requirement more stringent than federal law.	✓			
<a href="#">*HB 3103</a> <i>Committee On Energy And Environment</i> Proposes to modify terms related to oil spills.	✓			
<a href="#">SB 199</a> <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.	✓	✓		
<a href="#">SB 200</a> <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.	✓	✓		
<a href="#">SB 217</a> <i>Senator Peter C. Courtney (D)</i> Proposes to impose an annual management fee on water rights.	✓			



## ***AIR***

**NAAQS FOR CRITERIA POLLUTANTS** The Washington Department of Ecology (WADOE) is proposing amendments intended to align state ambient air quality standards in the Washington Administrative Code (WAC) with federal national ambient air quality standards (NAAQS) for criteria pollutants. The amendments would:

- Align state rules with NAAQS by amending and possibly consolidating these chapters into a new chapter:
  - [Chapter 173-470 WAC](#), Ambient air quality standards for particulate matter
  - [Chapter 173-474 WAC](#), Ambient air quality standards for sulfur oxides
  - [Chapter 173-475 WAC](#), Ambient air quality standards for carbon monoxide, ozone, and nitrogen dioxide;
- Add a Lead (Pb) standard consistent with NAAQS to a new chapter;
- Meet EPA requirements; and
- Make housekeeping changes.

For more information, contact [Margo Thompson](#) at (360) 407-6827.

**PUGET SOUND CLEAN AIR AGENCY: NEW SOURCE REVIEW** The Puget Sound Clean Air Agency is proposing amendments to its New Source Review program. The amendments are generally housekeeping in nature and would update the agency's references to be consistent with current WADOE rules. Comments were due 27 MAR 13. A public hearing was held 28 MAR 13. For more information, contact [Rob Switalski](#).

## ***CLIMATE CHANGE***

**GHG EMISSION RATE: COMBINED CYCLE TURBINES** The Washington Department of Commerce adopted a rulemaking to establish a state greenhouse gas (GHG) emission performance standard for utility baseload electric generation as 970 pounds per megawatt-hour, the average GHG emission rate. The final rule was effective 6 APR 13. For more information, contact [Carolee Sharp](#) at (360) 725-3118.

## ***NATURAL RESOURCES***

**SEPA REVISIONS** The WADOE is proposing to update and modernize Washington's State Environmental Policy Act (SEPA) rules and to repeal a rule that is not in use. This action would align SEPA rules (197-11 WAC) with Senate Bill (SB) 6406 (2012 Special Session); amend or repeal Chapter 173-806 WAC to align with changes being made in WAC 197-11; and repeal Chapter 197-06 WAC. For more information, contact [Fran Sant](#) at (360) 407-6004.

## ***OTHER***

**HAZARD COMMUNICATION** The Washington Department of Labor adopted an expedited rulemaking to align state regulations with final Occupational Safety and Health Administration (OSHA) Hazard Communication Standards that bring federal rules into alignment with the Globally Harmonized System (GHS) of Classification and Labeling of Chemicals. This rulemaking creates a new rule, WAC 296-901-140, incorporating all the elements of existing state rules into one rule to be consistent with OSHA's Hazard Communication Standard. The effective dates of the new rule will be delayed and phased in. During the transition period, there is the option to comply with the applicable requirements in the existing rules, the requirements in the new rule, or both. Upon completion of the transition period, the existing standards will be repealed. The final rule is effective 15 APR 13.

## TOXICS

**GUIDANCE FOR ALTERNATIVES ASSESSMENT AND RISK REDUCTION** The [Interstate Chemicals Clearinghouse \(IC2\)](#) and participating states (California, Connecticut, Massachusetts, Michigan, Minnesota, New Jersey, New York, Oregon, and Washington) released a draft version of the [Guidance for Alternatives Assessment and Risk Reduction](#) for public review and comment. The goal of the alternatives assessment is to replace chemicals of concern with inherently safer alternatives, thereby protecting and enhancing human health and the environment. It is based on the alternatives assessment process pioneered by the EPA Dfe program. The IC2 is working with industry, EPA and others to share results and best practices among all the state members. [Comments](#) are due 3 MAY 13. For more information, contact [Alex Stone](#) (Guidance Team Lead) at (360) 407-6758 or [Linda Glasier](#) (Stakeholder Coordinator) at (360) 407-7355. The WADOE website for pollution prevention is available [here](#).

## WASTE

**SEDIMENT MANAGEMENT STANDARDS** The WADOE [adopted revisions](#) to certain portions of its Sediment Management Standards (Chapter 173-204 WAC). The amendments:

- Integrate the SMS and Model Toxics Control Act (MTCA), Chapter 173-340 WAC, cleanup requirements where appropriate;
- Clarify requirements for protection of human health from sediment contamination;
- Clarify requirements for protection of higher trophic level species from sediment contamination;
- Promulgate numeric chemical and biological criteria for freshwater sediment to protect the benthic community; and
- Clarify requirements for coordinating source control and cleanup actions at cleanup sites.

The amendments are intended to provide clear, workable, and predictable requirements for sediment cleanup. The notice of final rule was published 20 MAR 13, effective 1 SEP 13. For more information, contact [Adrienne Dorrah](#) at (360) 407-7195. Additional information is available in a [news release](#).

## LEGISLATIVE DEVELOPMENTS

The [Washington 2013 legislative session](#) began 14 JAN 13 and adjourns 28 APR 13. An \* indicates the first time a bill appears in the 2013 Review.

<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>
<b>AIR/CLIMATE CHANGE</b>				
* <a href="#">HB 1169</a> <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.	✓			
* <a href="#">HB 1915</a> <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.	✓			

<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>
<a href="#">SB 5321</a> <i>Senator Doug Ericksen (R)</i> Proposes to harmonize state greenhouse gas reporting requirements with federal requirements.	✓			
<a href="#">SB 5408</a> <i>Senator Doug Ericksen (R)</i> Proposes to provide exclusions for the definition of "nonpower attributes" for purposes of the Energy Independence Act.	✓	✓		
<a href="#">SB 5796</a> <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.	✓			
<b>ENERGY</b>				
<a href="#">HB 1017</a> <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.	✓	✓		
<a href="#">HB 1030</a> <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.	✓			
<a href="#">HB 1106</a> <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.	✓			
* <a href="#">HB 1154</a> <i>Representative Dave Upthegrove (D)</i> Proposes to provide for exclusions to the definition of "nonpower attributes" for purposes of the Energy Independence Act.	✓	✓		
<a href="#">HB 1193</a> <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.	✓			
<a href="#">HB 1221</a> <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.	✓			
<a href="#">HB 1296</a> <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.	✓			
<a href="#">HB 1347</a> <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.	✓			

Washington Bill Number, Sponsor, and Description	Bill Introduced	Passed 1st House	Passed 2nd House	Status
<p><a href="#">HB 1374</a>  <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.</p>	✓	✓		
<p><a href="#">HB 1426</a>  <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>	✓			
<p>*<a href="#">HB 1602</a>  <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>	✓			
<p>*<a href="#">HB 1663</a>  <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>	✓	✓		
<p><a href="#">HJR 4200</a>  <i>Representative Lawrence E. Haler (R)</i>  Proposes to amend the state constitution to recognize hydroelectric generation as a renewable resource.</p>	✓			
<p>*<a href="#">SB 5099</a>  <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>	✓	✓		
<p><a href="#">SB 5294</a>  <i>Senator Doug Ericksen (R)</i>  Proposes to revise the Energy Independence Act by recognizing hydroelectricity as an eligible renewable resource.</p>	✓			
<p><a href="#">SB 5298</a>  <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>	✓			
<p><a href="#">SB 5369</a>  <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.</p>	✓	✓		
<p><a href="#">SB 5400</a>  <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.</p>	✓	✓		

<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>
<a href="#">SB 5412</a> <i>Senator Doug Ericksen (R)</i> Proposes to revise the definition of "eligible renewable resource" for purposes of the Energy Independence Act.	✓			
<a href="#">SB 5707</a> <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.	✓			
<b>LAND USE</b>				
<a href="#">HB 1158</a> <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.	✓	✓		
* <a href="#">HB 1224</a> <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.	✓			
<a href="#">HB 1277</a> <i>Representative David Sawyer (D)</i> Proposes to address tribes holding conservation easements.	✓	✓		
<a href="#">SB 5011</a> <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.	✓			
<a href="#">SB 5068</a> <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.	✓			
* <a href="#">SB 5406</a> <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.	✓			
* <a href="#">SB 5603</a> <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.	✓	✓		
* <a href="#">SB 5636</a> <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.	✓			

Washington Bill Number, Sponsor, and Description	Bill Introduced	Passed 1st House	Passed 2nd House	Status
<b>NATURAL RESOURCES</b>				
<a href="#">HB 1244</a> <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.	✓	✓		
<a href="#">*HB 1337</a> <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.	✓			
<a href="#">SB 5547</a> <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.	✓			
<a href="#">SB 5634</a> <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.	✓	✓		
<a href="#">SB 5702</a> <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.	✓	✓		
<b>OTHER</b>				
<a href="#">HB 1010</a> <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.	✓	✓		
<a href="#">HB 1110</a> <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.	✓			
<a href="#">HB 1163</a> <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.	✓			
<a href="#">*HB 1206</a> <i>Representative Steve Tharinger (D)</i> Proposes to increase administrative flexibility for the Department of Ecology by changing certain programs relevant to the department.	✓			
<a href="#">HB 1434</a> <i>Representative Gerry Pollet (D)</i> Proposes to promote community involvement in environmental decision-making.	✓			

<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>
<b>HB 1926</b> <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.	✓			
<b>SB 5002</b> <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.	✓	✓		
<b>*SB 5255</b> <i>Senator Maralyn Chase (D)</i> Proposes to require agencies to implement environmental quality and public health policies.	✓			
<b>SB 5458</b> <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.	✓	✓		
<b>WASTE</b>				
<b>*HB 1052</b> <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.	✓			
<b>HB 1310</b> <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.	✓			
<b>HB 1364</b> <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.	✓	✓		
<b>HB 1498</b> <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.	✓	✓		
<b>SB 5201</b> <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.	✓			
<b>*SB 5250</b> <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.	✓			

Washington Bill Number, Sponsor, and Description	Bill Introduced	Passed 1st House	Passed 2nd House	Status
<p><a href="#">*SB 5252</a>  <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.</p>	✓			
<p><a href="#">*SB 5253</a>  <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.</p>	✓			
<p><a href="#">SB 5386</a>  <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.</p>	✓			
<p><a href="#">SB 5457</a>  <i>Senator Sharon Nelson (D)</i>  Proposes to create the used battery stewardship account to implement voluntary programs to collect and recycle used small rechargeable batteries. Companion bill is HB 1364.</p>	✓			
<p><a href="#">*SB 5610</a>  <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.</p>	✓			
<b>WATER</b>				
<p><a href="#">HB 1016</a>  <i>Representative Jan Angel (R)</i>  Proposes to designate facilities and infrastructure of water purveyors as essential public facilities under growth management planning requirements.</p>	✓	✓		
<p><a href="#">HB 1113</a>  <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.</p>	✓	✓		
<p><a href="#">HB 1179</a>  <i>Representative Dawn Morrell (D)</i>  Proposes to allow counties to adopt alternative procedures for the collection of sewer charges. Companion bill is SB 5218.</p>	✓	✓		
<p><a href="#">*HB 1196</a>  <i>Representative Bruce Chandler (R)</i>  Proposes to implement an integrated water resource management plan in the Yakima river basin.</p>	✓			
<p><a href="#">*HB 1234</a>  <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 September 1, 2012. Modifies the date that updated permits become effective from August 1, 2013, to August 1, 2015.</p>	✓			

<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>
<a href="#">HB 1237</a> <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.	✓			
<a href="#">HB 1239</a> <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.	✓			
<a href="#">HB 1350</a> <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.	✓			
<a href="#">HB 1375</a> <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.	✓			
<a href="#">HB 1414</a> <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.	✓			
<a href="#">HB 1438</a> <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.	✓			
<a href="#">HB 1512</a> <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.	✓	✓		
* <a href="#">HB 1548</a> <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.	✓			
* <a href="#">HB 1549</a> <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.	✓			
<a href="#">SB 5071</a> <i>Senator Jerome L. Delvin (R)</i> Proposes to extend the time period permitted to put water to beneficial use.	✓			
<a href="#">SB 5185</a> <i>Senator Pam Roach (R)</i> Proposes to modify certain powers of water-sewer districts. Companion bill is HB 1239.	✓			

<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 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.	✓			
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.	✓	✓		
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.	✓	✓		
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.	✓			
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.	✓	✓		
SB 5324 <i>Senator Jim Honeyford (R)</i> Proposes to address mosquito abatement in stormwater control retention ponds.	✓	✓		
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.	✓			
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.	✓			
*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.	✓	✓		
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.	✓			
*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.	✓			

<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>
* <a href="#">SB 5463</a> <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.	✓			
* <a href="#">SB 5677</a> <i>Senator Linda Parlette (R)</i> Proposes to authorize a water management board in the Methow watershed (catalog unit 17020008 in north central Washington).	✓			
<a href="#">SB 5836</a> <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.	✓			

## Department of Defense Activity

**DEPARTMENT OF DEFENSE RELEASES CLIMATE CHANGE ADAPTATION ROADMAP** The DoD released a [Climate Change Adaptation Roadmap](#) that details the Department’s plan for managing the effects of climate change on its operations and infrastructure in both the short and long term. This roadmap, a key element of DoD’s annual update of its [Strategic Sustainability Performance Plan](#), specifically requires the [Strategic Environmental Research and Development Program](#) to develop climate change assessment tools for DoD’s installations.

## Federal Activity

### ***AIR***

**ADDITIONAL QUALIFYING RENEWABLE FUEL PATHWAYS** The EPA issued a final rule qualifying camelina oil as biomass-based diesel or advanced biofuel, and biofuels from energy cane (a variety of sugar cane) qualifying as cellulosic biofuel ([78 FR 14190](#)). EPA determined these additional fuel pathways will help meet the GHG reduction requirements of the Renewable Fuel Standard (RFS) Program. The inclusion of these pathways creates additional opportunity and flexibility for regulated parties to comply with the advanced and cellulosic requirements of the Energy Independence and Security Act (EISA) and provides the certainty necessary for investments to bring these biofuels into commercial production. The rule becomes effective on 6 MAY 13. EPA POC: [Vincent Camobreco](#), (202) 564-9043.

**OREGON SIP** EPA is proposing to approve Oregon State Implementation Plan (SIP) submittals demonstrating that the SIP meets the infrastructure requirements for the 1997 fine particulate (PM<sub>2.5</sub>), 2006 PM<sub>2.5</sub>, and the 2008 ozone NAAQS ([78 FR 17304](#)). The EPA is also proposing to find that the federally approved provisions currently in the Oregon SIP meet the interstate transport requirements of the Clean Air Act (CAA) related to prevention of significant

deterioration for the 2008 ozone NAAQS, and related to visibility for PM2.5 and 2008 ozone. Comments are due 22 APR 13. EPA POC: [Kristin Hall](#), (206) 553-6357.

## ***CLIMATE CHANGE***

**WATERSHED MODELING FOR 20 WATERSHEDS ASSESSMENT** EPA issued a draft document titled, [Watershed Modeling to Assess the Sensitivity of Streamflow, Nutrient, and Sediment Loads to Climate Change and Urban Development in 20 U.S. Watersheds](#). The document characterizes the sensitivity of streamflow, nutrient (nitrogen and phosphorus), and sediment loading to a range of plausible mid-21st century climate change and urban development scenarios. The study also provides an improved understanding of methodological challenges associated with integrating existing tools and datasets to assess the potential effects of climate change and urban development on stream flow and water quality. Comments are due by 15 APR 13. EPA POC: [Thomas Johnson](#), (703) 347-8618.

## ***ENERGY***

**NEW GUIDE FOR FEDERAL AGENCIES DEVELOPING LARGE-SCALE RENEWABLE ENERGY PROJECTS** The Federal Energy Management Program (FEMP) developed a [new guide](#) that provides a framework to allow the federal government, private developers, and financiers to work in a coordinated effort on large-scale renewable energy projects. The guide was developed by FEMP and the National Renewable Energy Laboratory, with contribution and assistance provided by the [Army Energy Initiatives Task Force](#) (EITF). It was developed in concert with the EITF's process for large-scale renewable energy project development.

**FEMP LAUNCHES WEBSITE TO HELP FEDERAL AGENCIES REDUCE GHG EMISSIONS** The [new website](#) will help agency personnel evaluate mitigation strategies for different emission sources, including buildings, fleet vehicles, business travel and employee commuting; and prioritize projects to achieve reduction goals in the most cost-effective manner.

**HIGH PERFORMANCE AND SUSTAINABLE BUILDINGS** A new Unified Criteria Document titled United Facilities Criteria (UFC) 1-200-02, High Performance and Sustainable Building Requirements, has been signed and posted to the [Whole Building Design Guide website](#). UFC 1-200-02 provides minimum requirements and guidance for DoD components to achieve high performance and sustainable facilities.

**POLICY FRAMEWORK FOR THE 21ST CENTURY GRID: A PROGRESS REPORT** The White House released [A Policy Framework for the 21st Century Grid: A Progress Report](#). The release is an update to the original Policy Framework released in JUN 11. The update contains a section promoting DoD as an appropriate place to promote energy technology innovations, including smart grid and micro-grid technologies.

**RENEWABLE ENERGY PROJECT PERMITTING FOR DEVELOPMENT ON FEDERAL LANDS** The Government Accounting Office (GAO) released a report addressing the permitting process for renewable energy development on federal lands, principally the Bureau of Land Management (BLM) and Forest Service (FS) lands ([GAO-13-189](#)). Since passage of the Energy Policy Act of 2005, federal land management agencies, primarily BLM, have received hundreds of applications for utility-scale renewable energy projects, yet only authorized 25: seven wind, ten solar, and eight geothermal. Applications for the majority of projects were withdrawn by the applicants or denied by BLM because of insufficient information. GAO POC: [Anne-Marie Fennell](#), (202) 512-3841.

## ***NATURAL RESOURCES***

**MORE EFFICIENT ENVIRONMENTAL REVIEWS** The Council on Environmental Quality released a [new handbook](#) that encourages more efficient environmental reviews under the National Environmental Policy Act (NEPA). The handbook provides advice to federal agencies, applicants, project sponsors, and consultants on how to take advantage of existing regulatory provisions to align the NEPA process and the National Historic Preservation Act Section 106 review process.

## ***THREATENED AND ENDANGERED SPECIES***

**STATUS REVIEW: FISHER WEST COAST DPS** The Fish and Wildlife Service is conducting a review of the status of the West Coast distinct population segment (DPS) of the fisher (*Martes pennanti*) throughout its range in California and Oregon ([78 FR 16828](#)). This status review is being initiated as part of a multidistrict litigation settlement agreement under which the agency agreed to submit a proposed rule or a not-warranted finding to the Federal Register for the [West Coast DPS](#) of the fisher no later than the end of Fiscal Year 2014. Comments are due 3 MAY 13. FWS POC: Erin Williams, (530) 842-5763. Additional information is available from the FWS [species profile](#).

## ***TOXICS***

**POTENTIAL HEALTH RISKS TO DOD FIRING-RANGE PERSONNEL FROM LEAD EXPOSURE** DoD has asked the National Research Council (NRC) to evaluate potential health risks from recurrent lead exposure of firing-range personnel, and specifically, whether current exposure standards for lead on DoD firing ranges protect its workers adequately. In response to DoD's request, the NRC convened the Committee on Potential Health Risks from Recurrent Lead Exposure of DoD Firing Range Personnel, which prepared a report summarizing those risks. Review of the epidemiologic and toxicological data allowed the committee to conclude that there is overwhelming evidence that the OSHA standard provides inadequate protection for DoD firing-range personnel and for any other worker populations covered by the general industry standard. The report, Potential Health Risks to DoD Firing-Range Personnel from Recurrent Lead Exposure, will help to inform decisions about setting new air exposure limits for lead on firing ranges, about whether to implement limits for surface contamination, and about how to design lead-surveillance programs for range personnel. Follow the link for [a summary of the report](#). The [entire report](#) can be downloaded free of charge by registered users on the National Academies Press website.

**EPA DECLARES A PRION TO BE A PEST** This final rule ([78 FR 13501](#)) amends the EPA regulations under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to expressly include prion, a microscopic particle thought to be an infectious agent, within the regulatory definition of pest. This rule clarifies that efficacy data are required for pesticide products with prion-related claims. In addition, the rule provides final test guidelines on generating the product performance data for prion-related pesticide products. EPA POC: [Melba Morrow](#), (703) 308-2716.

**ORTHO-NITROTOLUENE ADDED TO 313 CHEMICAL RELEASE REPORTING LIST** EPA is proposing to add ortho-nitrotoluene to the list of toxic chemicals subject to reporting under the Emergency Planning and Community Right-to-Know Act (EPCRA) Section 313 ([78 FR 15913](#)). Typical use of nitrotoluene is in production of pigments, antioxidants, agricultural chemicals, and photographic chemicals. Nitrotoluene has been classified by the National Toxicology Program as "reasonably anticipated to be a human carcinogen." Comments are due 13 MAY13. EPA POC: [Daniel R. Bushman](#), (202) 566-0743.

**HEXAVALENT CHROMIUM** The National Institute for Occupational Safety and Health (NIOSH) lowered its [recommended exposure limit](#) for airborne hexavalent chromium (CrVI) during the 40-hour work week by 80% with a reduction from 1.0 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) of air to 0.2  $\mu\text{g}/\text{m}^3$ .

## ***WATER***

**PERCHLORATE** The EPA Science Advisory Board ([SAB](#)) held a teleconference on 29 MAR 13 to conduct a quality review of a draft report on approaches to derive a maximum contaminant level goal for perchlorate. Perchlorate is used by the DoD as an oxidizer for propulsion of missiles, in munitions, and in some training pyrotechnics.

**EPA TO ELIMINATE NUMERIC TURBIDITY LIMITS FOR CONSTRUCTION STORMWATER DISCHARGE PERMITS** In advance of publication in the Federal Register, the EPA [announced](#) it intends to withdraw the numeric limitation for turbidity and to revise several of the non-numeric/best management practice (BMP) requirements associated with its effluent limitation guidelines (ELGs) for curbing stormwater runoff from the construction activities. However, the agency is

seeking to preserve a possible path for issuing a new turbidity standard. EPA issued a numeric limitation for turbidity in the [2009 final effluent guideline rule](#) for the Construction and Development Point Source Category, which established national monitoring requirements and enforceable numeric limitations on stormwater discharges from construction sites. The agency will accept comment for 60 days following publication in the Federal Register. EPA POC: [Jesse W. Pritts](#), (202) 566-1038.

**TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS UNDER THE CLEAN WATER ACT** Although the EPA did not approve a new test method for oil and grease for nationwide use, thereby changing monitoring requirements for all permit holders, this proposal does allow a permit holder to petition to use the alternative test method ([78 FR 14457](#)). The petitioner would need to submit a request to the EPA to use the alternative method, along with specific data. The EPA grants approval to use the alternative method on a case-by-case basis. The EPA released a [fact sheet](#) on its [construction and development website](#). EPA POC: [Jan Matuszko](#), (202) 566-1035.

**ARMY CORPS OF ENGINEERS LAUNCHES A FEDERAL SUPPORT TOOLBOX FOR INTEGRATED WATER RESOURCES MANAGEMENT** The [Federal Support Toolbox](#) is a dynamic, evolving and comprehensive water resources website with direct links to valuable databases, innovative programs and initiatives and state-of-the-art models and tools. The website also serves as a resource for sharing ideas and water resources needs, best management practices, collaborations and partnerships and more for the water resources community in the U.S. and internationally.

**AMENDMENTS TO EXECUTIVE ORDER 12777: DELEGATION OF AUTHORITIES** The President has issued amendments to [Executive Order 12777](#) to delegate authorities for enforcement of portions of the Oil Pollution Act of 1990 and Clean Water Act to Department of Transportation and Coast Guard.

**BAINBRIDGE ISLAND DESIGNATED SOLE SOURCE AQUIFER** EPA determined that the Bainbridge Island Aquifer System located in Kitsap County, Washington, is the sole or principal source of drinking water for the citizens of Bainbridge Island ([78 FR 19661](#)). As a result of this action, all federal financially assisted projects constructed on Bainbridge Island will be subject to EPA review to ensure that they are designed and constructed so they do not create a significant hazard to public health. The determination was made 29 MAR 13. EPA POC: [Susan Eastman](#), (206) 553-6249.

**WASHINGTON UIC PROGRAM** EPA announced that the state of Washington revised its underground injection control (UIC) program and has requested approval of the program revision ([78 FR 17951](#)). Revisions include the transfer of oversight authority from the Department of Ecology to the Energy Facility Site Evaluation Council to issue UIC permits at energy facilities, and other minor technical corrections. Comments are due 22 APR 13. A public hearing was held 8 APR 13. EPA POC: [David Tetta](#), (206) 553-1327.

## *Professional Development*

**8-10 MAY 13, CHICAGO, IL [INTERNATIONAL SOCIETY OF SUSTAINABILITY PROFESSIONALS CONFERENCE](#)** The conference is structured around stories from the field featuring presentations of on-the-ground implementation from organizations worldwide; emerging strategies for building the business case, engaging employees and developing cultures of sustainability; and sustainability tools that will demonstrate the latest sustainability assessments, reporting standards and more.

**15-17 MAY 13 ATLANTA, GA [BROWNFIELDS 2013](#)** The focus of this conference is environmental revitalization and economic redevelopment.

**10-13 JUN 13, NEW ORLEANS, LA [ENVIRONMENT, ENERGY SECURITY & SUSTAINABILITY SYMPOSIUM AND EXHIBITION](#)** E2S2 is focused on providing participants with information on the challenges that national security departments and

agencies face regarding environmental, energy security, and sustainability issues such as acquisition, environmental management, environmental restoration, emerging technologies, partnerships, finance and budgeting, technology, climate change and adaptation, sustainable design and construction, stormwater, BRAC, unexploded ordnance recovery, grids and infrastructure security, and contingency base energy.

**\*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***

**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. Hear from experts around the country on how to make your program more successful. 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 employees, 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 vary according to personnel status (i.e., active duty Air Force/civilian, other U.S. government employee, contractor).

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 U.S. 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.

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# Acronyms

<b>AEC</b>	Army Environmental Command
<b>ADEC</b>	Alaska Department of Environmental Conservation
<b>ADFG</b>	Alaska Department of Fish and Game
<b>ADNR</b>	Alaska Department of Natural Resources
<b>ACHP</b>	Advisory Council on Historic Preservation
<b>ACUB</b>	Army Compatible Use Buffer
<b>ATSDR</b>	Agency for Toxic Substances and Disease Registry
<b>BACT</b>	best available control technology
<b>BART</b>	best available retro-fit technology
<b>BLM</b>	Bureau of Land Management
<b>BTU</b>	British thermal unit
<b>CAA</b>	Clean Air Act
<b>CAFE</b>	corporate average fuel economy
<b>CAMR</b>	Clean Air Mercury Rule
<b>CERCLA</b>	Comprehensive Environmental Response, Compensation, and Liability Act
<b>CEQ</b>	Council on Environmental Quality
<b>CFR</b>	Code of Federal Regulation
<b>CH<sub>4</sub></b>	methane
<b>CNOR</b>	candidate notice of review
<b>CO<sub>2</sub></b>	carbon dioxide
<b>CO<sub>2</sub>e</b>	carbon dioxide equivalent
<b>COE</b>	Corps of Engineers
<b>CrVI</b>	hexavalent chromium
<b>CTED</b>	Washington Department of Community, Trade, & Economic Development
<b>CWA</b>	Clean Water Act
<b>CX</b>	categorical exclusion
<b>DA</b>	Department of Agriculture
<b>DO</b>	dissolved oxygen
<b>DoD</b>	Department of Defense
<b>DOE</b>	Department of Energy
<b>DOI</b>	Department of Interior
<b>DOT</b>	United States Department of Transportation
<b>DPS</b>	distinct population segment
<b>EA</b>	environmental assessment
<b>ECA</b>	emission control area
<b>ECF</b>	emission comparable fuel
<b>EIO</b>	Energy Initiatives Office
<b>EIS</b>	environmental impact statement
<b>EO</b>	Executive Order
<b>EPA</b>	Environmental Protection Agency
<b>ESA</b>	Endangered Species Act of 1973
<b>ESTCP</b>	Environmental Security Technology Certification Program
<b>FERC</b>	Federal Energy Regulatory Commission
<b>FIFRA</b>	Federal Insecticide, Fungicide, and Rodenticide Act
<b>FONSI</b>	finding of no significant impact
<b>FS</b>	Forest Service
<b>FWS</b>	Fish and Wildlife Service
<b>FY</b>	fiscal year
<b>GAO</b>	Government Accountability Office
<b>GHG</b>	greenhouse gas
<b>GRP</b>	geographic response plan
<b>GSA</b>	General Service Administration

<b>HCFC</b>	hydrochlorofluorocarbon
<b>HFC</b>	hydrofluorocarbon
<b>HFE</b>	hydrofluorinated ethers
<b>HID</b>	high intensity discharge
<b>IDAPA</b>	Idaho Administrative Procedures Act
<b>IDEQ</b>	Idaho Department of Environmental Quality
<b>INRMP</b>	integrated natural resource management plan
<b>ISEERB</b>	Interservice Environmental Education Review Board
<b>ITRC</b>	Interstate Technology and Regulatory Council
<b>JLUS</b>	Joint Land Use Study
<b>LBP</b>	lead-based paint
<b>LEED</b>	Leadership in Energy and Environmental Design
<b>LID</b>	Low-Impact Development
<b>LOSS</b>	large on-site sewage system
<b>LT2</b>	long term 2
<b>MACT</b>	maximum achievable control technology
<b>MCL</b>	maximum contaminant level
<b>MCLG</b>	maximum contaminant level goal
<b>MERIT</b>	Materials of Evolving Regulatory Interest Team
<b>MOU</b>	memorandum of understanding
<b>MPA</b>	marine protected area
<b>MS4</b>	municipal separate storm sewer system
<b>MSGP</b>	multi-sector general permit
<b>N<sub>2</sub>O</b>	nitrous oxide
<b>NAAQS</b>	National Ambient Air Quality Standards
<b>NCSL</b>	National Conference of State Legislatures
<b>NEPA</b>	National Environmental Policy Act
<b>NESHAP</b>	National Emission Standards for Hazardous Air Pollutants
<b>NF<sub>3</sub></b>	nitrogen trifluoride
<b>NHTSA</b>	National Highway Traffic Safety Administration
<b>NIST</b>	National Institute of Standards and Technology
<b>NMFS</b>	National Marine Fisheries Service
<b>NOAA</b>	National Oceanic and Atmospheric Administration
<b>NO<sub>2</sub></b>	nitrogen dioxide
<b>NO<sub>x</sub></b>	nitrogen oxides
<b>NPDES</b>	National Pollutant Discharge Elimination System
<b>NRC</b>	Nuclear Regulatory Commission
<b>NSPS</b>	New Source Performance Standard
<b>NSR</b>	New Source Review
<b>OAR</b>	Oregon Administrative Rules
<b>ODA</b>	Oregon Department of Agriculture
<b>ODEQ</b>	Oregon Department of Environmental Quality
<b>OEQC</b>	Oregon Environmental Quality Commission
<b>OMB</b>	Office of Management and Budget
<b>ORCR</b>	Office of Resource Conservation and Recovery
<b>P2</b>	pollution prevention
<b>PBDE</b>	polybrominated diphenyl ethers
<b>PFC</b>	perfluorocarbons
<b>PFOA</b>	perfluorooctanoic acid
<b>PFOS</b>	perfluorooctane sulfonic acid
<b>PHMSA</b>	Pipeline and Hazardous Materials Safety Administration
<b>PM</b>	particulate matter
<b>PM<sub>2.5</sub></b>	particulate matter 2.5 microns in diameter or less
<b>PM<sub>10</sub></b>	particulate matter 10 microns in diameter or less
<b>POPs</b>	persistent organic pollutants
<b>ppb</b>	parts per billion
<b>PSD</b>	Prevention of Significant Deterioration

<b>PWS</b>	public water system
<b>RCRA</b>	Resource Conservation and Recovery Act
<b>REEO-W</b>	Regional Environmental and Energy Office - Western
<b>RoC</b>	Report on Carcinogens
<b>RoHS</b>	European Union's Restriction of Hazardous Substances
<b>RRP</b>	Renovation, Repair, and Painting
<b>SERDP</b>	Strategic Environmental Research and Development Program
<b>SI</b>	spark-ignition
<b>SIP</b>	State Implementation Plan
<b>SMP</b>	Shoreline Management Plan
<b>SNAP</b>	significant new alternatives policy
<b>SNUR</b>	significant new use rule
<b>SO<sub>2</sub></b>	sulfur dioxide
<b>SO<sub>x</sub></b>	sulfur oxides
<b>SPCC</b>	spill prevention, control, and countermeasures
<b>TAC</b>	toxic air pollutant
<b>TiO<sub>2</sub></b>	titanium dioxide
<b>TMDL</b>	total maximum daily load
<b>tpy</b>	tons per year
<b>TRI</b>	Toxics Release Inventory
<b>TSCA</b>	Toxic Substance Control Act
<b>UFC</b>	Unified Facilities Criteria
<b>ug/m<sup>3</sup></b>	micrograms per cubic meter
<b>U.S.</b>	United States
<b>USGS</b>	United States Geological Survey
<b>UST</b>	underground storage tank
<b>USTCA</b>	Underground Storage Tank Compliance Act
<b>VOC</b>	volatile organic compound
<b>WAC</b>	Washington Administrative Code
<b>WCI</b>	Western Climate Initiative
<b>WEFSEC</b>	Washington Energy Facility Site Evaluation Council
<b>WDC</b>	Washington Department of Commerce
<b>WDOE</b>	Washington Department of Ecology
<b>WDOH</b>	Washington Department of Health
<b>WPCF</b>	Water Pollution Control Facility
<b>WRAP</b>	Western Regional Air Partnership