



CBPC 2024 LEGISLATIVE FOCUS

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Chesapeake Bay and Water Resources Policy Committee
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Metropolitan Washington
Council of Governments

Legislative Priorities for Water

- COG's Legislative Committee puts forth recommended priorities that are adopted by the full COG Board in January for the year.
 - The Legislative Committee will be meeting on December 11, 2023
 - Input from the CBPC is due no later than December 8, 2023
- These priorities are the official legislative, regulatory, and policy positions of COG for advocacy and educational efforts at the local, state, and federal level.
- The Water Priorities have been consistent for the last several years with only minor revisions.

CBPC Policy Principles

- Holistic Requirements
- Equitable Responsibility
- Sound Science
- Communication and Voice
- Implementation Flexibility and Innovation

Legislative Priorities for Water-2023

Support Investments in Water Infrastructure

Support sustained and expanded funding for federal water quality programs, including the EPA's Chesapeake Bay Program, the Water Infrastructure Finance and Innovation Act (WIFIA), Water Resources and Development Act (WRDA) and for state programs including grants for local governments and water utilities, state revolving funds (SRFs),...

Support Climate and Flood Resiliency Initiatives

Support funding to address robust climate change analysis, adaptation and resiliency planning, flood control and management, drought management, and development and coordinated implementation of local best practices.

Ensure Stormwater Regulatory Feasibility

Support actions that provide for a feasible pace for future MS4 stormwater permits and reasonable reporting requirements.

Ensure Local Government Input

Ensure that local governments and wastewater and drinking water utilities are given opportunities to provide timely and meaningful input on legislation and management decisions affecting the Chesapeake Bay and local water quality.

Support Affordability and Regulatory Flexibility

Support cost-effective scheduling and financing of water quality programs, including streamlining permits, flexibility to achieve nutrient and sediment reduction across wastewater, stormwater, and other sectors, affordability of water, and full funding for agricultural conservation programs.

Support Water Supply Security

Support water quality security and resiliency through research, planning, and programs and drinking water source protection policies and programs to ensure a resilient, reliable and clean drinking water supply for the region.

Maryland Budget & Potential Legislation

Maryland Budget

- Forecasting a \$1.8 B deficit for 2028. Spending is outpacing revenue.
- Comptroller Brooke Lierman describes as a “flashing yellow light” for Maryland’s economy.

Potential Water Legislative issues:

- Stream Restoration
- Legionella
- Drinking Water-collection and reporting information
- PFAS monitoring
- Climate, Labor, and Environmental Equity
- Water reuse

Virginia Budget & Potential Legislation

Virginia Budget

- Stormwater Local Assistance Fund (SLAF): Unexpectedly \$30 M was authorized in the special session, which is positive.
- Water Quality Improvement Fund (WQIF): Has a \$405 M deficit between the needs vs. funds appropriated.

Potential Water Legislative issues:

- General Assembly may ask for more PFAS testing, self-monitoring, self-reporting.
- In general, DEQ is awaiting EPA guidance, before pushing for PFAS monitoring.

Federal Updates

- Stormwater permitting: EPA is expected to want environmental justice and flood resiliency in future MS4 permits.
 - Permits should be focused on water quality, not quantity.
 - Under the Clean Water Act, stormwater is not considered a pollutant, so EPA is not authorized to regulate it via a TMDL.
- House spending bill has 39% cuts to EPA State Revolving Funds for water. Senate will likely aim to keep EPA funding flat. <https://waterfm.com/house-passes-epa-spending-bill-that-would-cut-srfs/>
- Clean Water and Drinking Water State Revolving Funds (SRFs) capitalization grants are increasingly being used to pay for Congressionally Directed Spending (i.e., earmarks), resulting in significant cuts to funding for infrastructure projects in the District, Maryland, and Virginia.

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