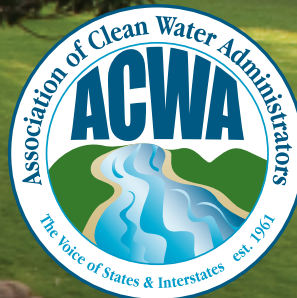


Annual Report

Fiscal Year 2012



People Advancing
Our Mission

"I have never been associated with a more professional, dedicated and diligent group of people in my 28 years in this environmental protection business."

*Dana K. Aunkst,
Deputy Secretary,
Pennsylvania Department of Environmental Protection*





Annual Report Fiscal Year 2012

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Cover: ACWA members and friends in Charleston, South Carolina at the 50th Annual Meeting and Anniversary Celebration, August 2011.

Photos: from left to right. Target Lake, Wisconsin (Courtesy of Julia Riley, Wisconsin Department of Natural Resources), River in Washington (Courtesy of Kevin Fitzpatrick, Washington Department of Ecology), Salmon River, Idaho (Courtesy of Don Essig, Idaho Department of Environmental Quality), Flambeau River, Wisconsin (Courtesy of Alison Canniff, Wisconsin Department of Natural Resources)

Letter to the Membership from President Walt Baker

Dear Colleagues,

As we mark the 40th Anniversary of the Clean Water Act (CWA), I am pleased to serve as President of the Association of Clean Water Administrators (ACWA), and to welcome you to Park City, Utah for our 51st Annual Meeting. This Annual Report provides a wonderful opportunity to reflect on our accomplishments over the Fiscal Year (FY). We started with a dramatic and meaningful move – adopting a new name for the Association after 50 years, creating a new logo, look, and feel for the Association. Without question, ACWA has moved into the next half century.

This organization's strength comes from one key place – its people. As the Annual Report's cover and the many photographs throughout reveal, ACWA would not exist and could not be successful without all of you. Every day, we draw upon your time, knowledge, experience, and expertise to carry "the voice of states and interstates" to stakeholders in the Nation's Capital and across America. For this service, particularly in light of your significant day-to-day responsibilities, I thank you most sincerely.

When we began the FY, I articulated several goals for my year as President. I am pleased to provide a brief summary of how I believe we have collectively delivered on those goals. First, we identified the need to "adequately staff Committees and assure that they are actively functioning and meeting the needs of our members." As the following pages show, our Committees under their leaders are more vibrant, comprehensive, and active than ever. Second, we sought to "engage and collaborate with the United States Environmental Protection Agency (EPA) on ACWA's priority issues and establish and articulate clear positions on them." One measurement of accomplishing this goal are the 14 formal comment letters we filed with the Agency on our top issues, in which our clarity of position was evident each time. These letters, and ACWA's many other communications brought results, as EPA incorporated state and interstate ideas and input in their final memoranda, rules, guidance, and policies. Third, we needed to "broaden and increase the number of ACWA members who actively participate in the Association." Implemented this year, the new MemberPoint® web portal allows individuals to add Committee membership, view documents, find colleagues, and track their ACWA involvement. Combined with strong Committee leaders and a deep portfolio of substantive issues, we have indeed increased our members' involvement. Fourth, we focused on "expanding the number of ACWA stakeholders by actively seeking new Subscribers and Affiliates and reaching out to other groups and associations which may share our interests." Our Legal Subscriber group now includes over a dozen law firms, corporations, and associations whose interests align with the areas in which ACWA works. While strained state budgets have allowed only modest growth in our public Affiliate membership, we continue to make connections with these state agencies that share our water quality goals and that play a key role in implementing clean water programs.

One of the most important FY developments was EPA's Office of Water award to ACWA of a three year Cooperative Agreement. This award allowed ACWA to add National Office staff members to support Committees, communications, and member services, and also nearly closed the projected FY deficit. The award focuses on improving the relationship and communications between EPA Headquarters and states and interstates. Only a few months into the Agreement, we are already seeing improved co-regulator communication.

As you read the *Fiscal Year 2012 ACWA Annual Report*, I hope you are impressed with the amount and quality of work we accomplished together in a short period of time. When I think of ACWA, I think of the old adage that "many hands make light work." Forty years into the Act's implementation, there is no shortage of work, and ACWA benefits from many hands. I thank our member states, interstates, affiliates, subscribers, and friends, for your continued support of the only national organization whose Board of Directors is comprised exclusively of state and interstate clean water officials. Without you, and our dedicated National Office staff, the "voice of states and interstates" would be far less clear, bold, and visionary.

Sincerely yours,



Walter L. Baker, P.E.
Director, Utah Division of Water Quality
President



Letter to the Membership from Executive Director and General Counsel Alexandra Dapolito Dunn

Dear Members,

What a difference a year makes! Only two months into the FY, we adopted a new name, which renewed our clear sense of purpose – to carry forward the voice of states and interstates on priority issues. As the following pages show, we channeled our collective energies in this singular direction and we succeeded. I remain proud to represent your Association as its Executive Director and General Counsel, and am deeply passionate about our mission. I thank ACWA's Board of Directors, Leadership, and our entire very engaged membership for your contributions to our accomplishments.



Select pivotal moments are worthy of highlight in this letter. First, with your efforts and advocacy, in early 2012 we entered into a Cooperative Agreement with EPA's Office of Water. This additional source of non-dues revenue allowed us to bring on two talented full-time Policy Managers, bringing our small but mighty full-time staff to five. While we could without question productively apply additional staff to core priorities, we are clearly better positioned now than we have been in some time to deliver professional and high quality information, analysis, and perspective. Our relationship with EPA is stronger than ever, as the Agreement facilitates greater, smoother, and more inclusive and collaborative discussions with EPA.

We dedicated time and energy into implementing and customizing our web tool, MemberPoint®, which puts in your hands the ability to access documents, join groups, change preferences, track payments, register for meetings, and communicate with your peers. With time, using MemberPoint® becomes second nature, so please try it out.

Our relationships have grown this year – we are working with a more diverse and varied number of groups than ever before. From farm groups, to federal and state agricultural agencies, to industry and point source organizations, to citizen and non-governmental organizations – ACWA is widely considered to be an open, willing, and dynamic partner. Strong and appropriate collaborations are helping us achieve more for our membership. And, with a solid understanding of who we are, our goals and priorities, these partnerships can only improve the water environment for all Americans.

ACWA conducted sustained efforts on central water policy issues – including stormwater, effluent guidelines, total maximum daily loads (TMDLs), nutrients, standards, monitoring, assessment, nonpoint source control, legal issues, permitting, compliance, and enforcement. We regularly met and spoke with EPA offices, participated in a variety of meetings and strategic sessions, and spoke at conferences nationwide. Our legislative presence continued to grow as we remained active with the Healthy Waters Coalition, supporting a strong Conservation Title in the 2012 Farm Bill, and testified on nutrients, water funding, and integrated planning.

On the fiscal side, we continued to operate in a lean condition, and knew we would close 2012 with a deficit – although this will be significantly reduced from what was predicted a year ago. With EPA's Cooperative Agreement, we presented a balanced FY 2013 budget to the Board for approval in May, and anticipate with sustained efforts that we will end the year in the black. Our Affiliate Membership and Legal Subscriber programs are thriving, bringing new synergistic relationships to bear on our work. ACWA's growing Sponsorship Program is providing a helpful source of revenue, keeping our two face-to-face meetings per year affordable and accessible, allowing more state staff to join us for top quality content and networking.

As you see, we place a special focus in this year's Annual Report on the people of the Association. I thank all of you for your commitment to the Association and its mission. I also appreciate the National Office staff – and their dedication and willingness to grow with me as ACWA continues its upward trajectory.

I look forward to meeting with all of you in Park City, Utah, to celebrating our FY 2012 accomplishments, and to setting new goals and objectives for FY 2013.

Best regards,

Alexandra Dapolito Dunn
Executive Director and General Counsel

About ACWA, History, and Mission

ACWA is the independent, nonpartisan, national organization of state and interstate water program directors, responsible for the daily implementation of the CWA's water quality programs. Established in 1961 as the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA), the Association of Clean Water Administrators name was adopted in 2011 at the Association's 50th Annual Meeting. ACWA is the only nationally recognized organization whose entire agenda and mission are set by a Board of Directors and Leadership composed only of state/interstate water quality program administrators and managers. Long before passage of the *Federal Water Pollution Control Amendments* of 1972, state and interstate professionals were working together to protect and improve water quality nationally through ACWA.

For half a century, ACWA has consistently provided the highest level of information, programming, technical support, and collaborative opportunities to increase state capacity and to support the federal government in the implementation of the federal CWA and related water quality programs. The Association has led national co-regulator collaboration forums, orchestrated evaluation and enhancement of water quality programs, supported workshops, national meetings, webcasts, and conference calls, and identified and highlighted innovative state programs and practices. ACWA strives to assess and convey the shared perspectives of state/interstate water quality agen-

cies at the national level. We facilitate communication and interaction between state/interstate water quality agencies and diverse federal agencies, Congress, and the Administration. The Association offers forums for the exchange of technical and program information and innovations

among water quality professionals and promotes public education on water quality issues. The nature of ACWA's work over the years has consistently furthered the specific interests of the federal/ state partnership in developing and implementing water quality protection programs. When the federal government – most importantly, EPA – partners directly with states through ACWA, better regulations are drafted, superior policy is created, duplication is reduced, national consis-

tency is improved, flexibility is gained, unintended consequences are avoided, greater certainty is realized, legal challenges are minimized and, ultimately, the public and the environment are better served.

The complexity of water quality issues associated with today's challenges requires more collaboration than ever. Over five decades, the Association has developed productive and leveraging relationships with many organizations, including non-governmental organizations, industry associations, municipal and local governmental groups, and other state regulator entities. ACWA's effectiveness through the years has been enhanced through collaboration, coordination, and innovation with these stakeholders.



Charlestown Breachway, Rhode Island (Courtesy of Thomas Epstein, Rhode Island Department of Environmental Management)

Mission:

As the national voice of state and interstate water programs, ACWA strives to protect and restore watersheds to achieve “clean water everywhere for everyone.” ACWA works to maintain a vibrant national organization that:

- is the national voice for state and interstate clean water program concerns, interests, and priorities;
- serves membership needs and achieves a high level of participation;
- facilitates technical and policy innovation among national and state water programs (best practices);
- fosters the collaboration needed for sound public policy; and
- carries out activities in an efficient, ethical, and fiscally sound manner.



OFFICERS:

President

Walter L. Baker (UT)

Vice-President

Steve Gunderson (CO)

Treasurer

Martha Clark Mettler (IN)
(2/12-Present)

Paul Davis (TN)
(Until 2/12)

Secretary

Mike Fulton (AZ)
(11/11-Present)

Karl Mueldener (KS)
(Until 11/11)

Immediate Past President

Harry Stewart (NH)

Board Representatives:

Region 1 Peter LaFlamme (VT)
Region 2 Michelle Putnam (NJ)
Region 3 Dana Aunkst (PA)
Region 4 Drew Bartlett (FL) (1/12-Present)
Coleen Sullins (NC) (Until 12/11)
Region 5 William Creal (MI)
Region 6 Shellie Chard-McClary (OK)

Region 7 Patrick Rice (NE) (10/11-Present)
Karl Mueldener (KS) (Until 10/11)
Region 8 Jenny Chambers (MT)
Region 9 Mike Fulton (AZ)
Region 10 Lynn Kent (AK)
Interstates Carlton Haywood (ICPRB)

National Office Staff

Executive Director & General Counsel
Deputy Director
Director of Operations
Environmental Program Manager
Environmental Program Manager
2012 Summer Law Clerk

Alexandra Dapolito Dunn
Sean Rolland
Annette Ivey
Susan Kirsch
Sara Vinson
Lisa Weinstein

Photos: from left to right. Lake Champlain (Courtesy of Peter LaFlamme), Warren County, Pennsylvania (Courtesy of Lori Mohr), Chattanooga River (Source Unknown), West Hill Lake, Connecticut (Courtesy of Alexandra Dunn, ACWA)

State, Interstate, & Affiliate Members



Fripp Island, South Carolina
(Courtesy of Alexandra Dunn,
ACWA)

Alabama Department of Environmental Management, Water Division
Alaska Department of Environmental Conservation, Division of Water
Arizona Department of Environmental Quality, Water Quality Division
Arkansas Department of Environmental Quality, Water Division
California State Water Resources Control Board
Colorado Department of Public Health & Environment, Water Quality Control Division
Connecticut Department of Energy and Environmental Protection, Bureau of Water Protection & Land Reuse
Delaware Department of Natural Resources & Environmental Control, Division of Water Resources
Delaware River Basin Commission
District of Columbia Department of the Environment, Water Quality Division
Florida Department of Environmental Protection, Division of Water Resource Management
Georgia Department of Natural Resources, Environmental Protection Division
Hawaii Department of Health, Environmental Management Division, Clean Water Branch
Idaho Department of Environmental Quality, Surface Water Program
Illinois Environmental Protection Agency, Bureau of Water
Indiana Department of Environmental Management, Office of Water Quality
Interstate Commission on the Potomac River Basin
Interstate Environmental Commission
Iowa Department of Natural Resources, Water Quality Bureau
Kansas Department of Health & Environment, Bureau of Water
Kentucky Department for Environmental Protection, Division of Water
Louisiana Department of Environmental Quality, Water Quality Assessment Division
Maine Department of Environmental Protection, Bureau of Land & Water Quality
Maryland Department of Environmental Quality, Water Management Administration
Massachusetts Department of Environmental Protection, Bureau of Resource Protection
Michigan Department of Environmental Quality, Water Bureau
Minnesota Pollution Control Agency, Commissioner's Office for Water Policy
Mississippi Department of Environmental Quality, Office of Pollution Control
Missouri Department of Natural Resources, Water Protection Program
Montana Department of Environmental Quality, Water Protection Bureau
Nebraska Department of Environmental Quality, Water Quality Division
Nevada Division of Environmental Protection, Bureau of Water Pollution Control
New England Interstate Water Pollution Control Commission
New Hampshire Department of Environmental Services, Water Division
New Jersey Department of Environmental Protection, Department of Water Quality
New Mexico Department of the Environment, Water & Waste Management Division
New York State Department of Environmental Conservation, Division of Water
North Carolina Department of Environment & Natural Resources, Division of Water Quality
North Dakota Department of Health, Water Quality Division
Ohio Department of Agriculture, Livestock Environmental Permitting Program
Ohio Environmental Protection Agency, Division of Surface Water
Ohio River Valley Water Sanitation Commission
Oklahoma Department of Environmental Quality, Water Quality Division
Oklahoma Water Resources Board, Water Quality Programs Division
Oregon Department of Environmental Quality, Water Quality Division
Pennsylvania Department of Environmental Protection, Bureau of Water Standards & Facility Regulation
Rhode Island Department of Environmental Management, Office of Water Resources
South Carolina Department of Health & Environmental Control, Bureau of Water
South Dakota Department of Environment & Natural Resources, Surface Water Quality Program
Susquehanna River Basin Commission
Tennessee Department of Environment & Conservation, Division of Water Pollution Control
Texas Commission on Environmental Quality, Office of Water
Texas State Soil & Water Conservation Board
Utah Department of Environmental Quality, Division of Water Quality
Vermont Department of Environmental Conservation, Water Quality Division
Virginia Department of Environmental Quality, Water Division
Washington Department of Agriculture
Washington Department of Ecology, Water Quality Program
West Virginia Department of Environmental Protection, Division of Water & Waste Management
Wisconsin Department of Natural Resources, Bureau of Watershed Management
Wyoming Department of Environmental Quality, Water Quality Division



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Water Environment Federation (WEF)

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Steve Kroeger
Ron Poltak
Sean Q. Rolland
Paul Stacey

Photos: from left to right. Ohiopyle State Park, Fayette County, Pennsylvania (Courtesy of Lori Mohr), Bass Lake, Minnesota (Courtesy of Paul Andre, Minnesota Pollution Control Agency), Crater Lake, Oregon (Courtesy of Debra Sturdevant, Oregon Department of Environmental Quality), Illinois River, Oklahoma (Courtesy of Shellie Chard-McClary, Oklahoma Department of Environmental Quality)

Climate Adaptation Committee

The Climate Adaptation Committee continued its work this year, holding quarterly calls to examine topics such as green infrastructure, funding opportunities in the context of climate adaptation, and incorporation of climate adaptation in state integrated water resources management (IWRM) strategies.



Carol Collier (DRBC)
Co-Chair



Jeff Manning (NC)
Co-Chair

The Committee tracked climate adaptation initiatives, and shared relevant climate adaptation news and materials with states throughout the year, including EPA's draft *National Water Program 2012 Strategy: Response to Climate Change*, Intergovernmental Panel on Climate Change (IPCC) reports such as *Managing the Risks of Extreme Events and Disasters to Advance Climate Change Adaptation*, and the Interagency Climate Change Adaptation Task Force's *National Action Plan – Priorities for Managing Freshwater Resources in a Changing Climate*. Further, a compilation of climate adaptation reference websites was provided to members and made available in ACWA's member web portal.

Committee Co-Chairs Carol Collier and Jeff Manning, and ACWA staff, participated on EPA's State Tribal Climate Change Council (STC3). The STC3 held several calls regarding EPA Office of Water's 2012 Climate Strategy. Information from these calls was subsequently shared with Committee members to ensure members were aware of EPA climate related activity.

In the upcoming FY, the Committee will work to engage more ACWA members in its activities. The Committee will keep its climate adaptation resources up to date, and plans to hold joint calls with other ACWA Committees on overlapping issues of interest, including the incorporation of climate adaptation considerations in the development of TMDLs.

Not pictured: Michele Putnam (NJ), Board Liaison



Tanana Headwaters, Dry Creek, Alaska (Courtesy of Alaska Department of Environmental Conservation)

Energy Task Force

The Energy Task Force spun out from Climate Adaptation to become a stand-alone group this year, in recognition of the growing number of energy–water nexus issues. Natural gas extraction continues to be a hot topic with potential water impacts from well siting to disposal of waste products and hydraulic fracturing fluids. The Task Force is looking at partnering with our drinking water and ground water colleagues to examine and discuss potential water impacts from gas extraction activities. Other topics of interest include water quality implications of harvesting biomass and the development and production of bio-energy products or second-generation biofuels.



Stephen Bernath
(WA)
Chair



Dana Aunkst (PA)
Board Liaison

Funding Task Force

Given the continued stressed national economy, strained state budgets, and pressure on EPA's budget, the Funding Task Force experienced significant activity this year. The FY began with the adoption of an updated ACWA Funding Position, which affirmed the Association's longstanding position that the Clean Water State Revolving Fund (CWSRF or SRF) is a key clean water funding mechanism which must be protected and adequately funded. The position also supports and encourages new innovative funding mechanisms that enhance current federal funding efforts, provided CWSRF funding is not compromised. The Task



In February 2012, ACWA attended EPA's launch of its budget proposal, kicking off the FY 2013 federal budget tussle.

Force held quarterly calls to educate and engage states on a number of issues including the President's FY 2013 EPA Budget request and subsequent appropriations bills, implications of the impending Budget Control Act, the impact



Ron Poltak
(NEIWPCC)
Co-Chair



John Litton (SC)
Co-Chair

of the proposed elimination of the federal Beach Grant Program, and information regarding financing tools under consideration such as the Water Infrastructure Financing Innovations Authority (WIFIA) and a Water Trust Fund.

Task Force Co-Chairs Ron Poltak and John Litton, and ACWA staff, are in-

volved in an ECOS SRF Options Workgroup, which periodically holds calls to discuss potential new and innovative water financing tools.

In the face of EPA budget cuts, ACWA joined other associations in sending letters to key Congressional leadership in support of funding EPA's Beach Monitoring Program and USGS' National Water-Quality Assessment (NAWQA) Program. In March 2012, ACWA, the Association of State Drinking Water Administrators (ASDWA), NACWA, WEF, and others

sent letters to the House and Senate urging funding in FY 2013 for the CWSRF at the FY 2012 level of approximately \$1.47B. Further, the letter called for the Section 319 Nonpoint Source (NPS) Grant Program funding to be increased to \$227M, and an increase in Section 106 funding to \$330M. These same letters were sent

following a devastating mid-June 2012 House Appropriations Committee approval of a FY 2013 Interior, Environment and Related Agencies appropriations bill cutting EPA's FY 2013 budget by 17 percent from FY 2012. ACWA also joined the Council of Infrastructure Financing Authorities (CIFA) in a letter to Congress in opposition to attaching "Buy American" provisions to CWSRF funding.

The Task Force has kept the ACWA membership informed of budget activity

and has kept a federal water programs appropriations chart up-to-date and available on the ACWA website for all members. In the coming year, the Task Force will continue to track federal budget developments and advocate for increased funding for key clean water programs.



Mike Fulton (AZ)
Board Liaison

Legal Affairs

The Legal Affairs Committee (LAC) continued to hold bi-monthly calls this year to discuss the latest regulatory and CWA legal developments.



Carin Spreitzer
(NY)
Co-Chair



Melanie Davenport
(VA)
Co-Chair

The calls included a successful and well-attended joint call with the TMDLs & Watersheds Committee devoted to the *Anacostia Riverkeeper v. Jackson* July 2011 circuit court decision (wasteload allocations for municipal separate storm sewer systems (MS4s) may be assigned on a system-wide

basis). Other call topics included *NRDC v. County of Los Angeles* (County liable for storm discharges), *Sackett v. EPA* (Supreme Court decision allowing pre-enforcement judicial review of EPA CWA compliance order), *Gulf Restoration Network v. Jackson* (Mississippi River Basin numeric nutrient TMDL suit), and *U.S. v. Hampton Road Sanitation Department* (holding sanitation department responsible for sewer discharges following heavy rains). The LAC also heard updates from EPA on hot regulatory developments, including Section 316(b), construction general permits, and water quality standards regulatory revisions. In the coming year,

the LAC will continue to draw on ACWA's growing Legal Subscriber base, the members of which bring additional perspectives to the table and enrich its discussions.



Lynn Kent
(AK)
Board Liaison



Long Beach Marina, California (Courtesy of Shirley Birosky, California Regional Water Quality Board, Los Angeles Region)

Permitting, Compliance, & Enforcement



Shellie Chard-McClary (OK)
Co-Chair



Kathy Stiller (DE)
(3/12-Present)
Co-Chair



Paul Davis (TN)
(Until 3/12)
Co-Chair



Pete LaFlamme
(VT)
Board Liaison

The Permitting & Compliance Committee (P&CC) has traditionally been an extremely active, large, and diverse group of state staff that includes directors, bureau chiefs, program managers, permit writers, inspectors, analysts, and data managers. In 2012, the ACWA

Board subdivided the P&CC into five workgroups based on programmatic topics. P&CC members now participate on one or more of these workgroups. The Committee and respective workgroups were invited to participate on nearly sixty calls this year.

The workgroups under this Committee took the lead in developing letters for the Association on a variety of topics, including: State Water Quality Program Management Resource Analysis Information Collection Request; National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operation Reporting Rule; Draft 2013 Vessel General Permit and Small Vessel General Permit; Comments on State Review Framework Round 3 & State NPDES Memoranda of Agreement Reviews; Draft Integrated Planning Approach Framework; Implementation of the CWA Action Plan; Notice of Intent Re: Logging & Forest Roads; and the 2010 Effluent Guidelines Program Plan.

Enforcement Workgroup

The Enforcement Workgroup's primary focus is implementation of initiatives associated with the CWA Action Plan. Four major goals identified in the CWA Action Plan Implementation Priorities document include switching to electronic reporting, creating a new paradigm to compel increased compliance, addressing the most serious water pollution problems, and improving state and EPA performance in protecting water quality. Related call topics included the State Review Framework (SRF)/Permit Quality Review (PQR)

integration, updating the Annual Noncompliance Reports, an eDMR third party software proof of concept initiative, innovative strategies to address DMR violations, updates to the pollutant loading tool and NPDES dashboards, an online general permit inventory, a draft proposed power plant pilot project, the national Compliance Monitoring Strategy, and EPA's NPDES Memoranda of Agreement criteria, checklist,



Dave Akers (CO)
Chair

and model. The Workgroup also participated in face-to-face meetings with EPA on the developing proposed eReporting Rule. States discussed a number of critical issues including resources, data collection and data availability, data transfer, "readiness" to receive information, compatibility of state and federal data systems, scope of the data collection effort, frequency of reporting, and the list of actual requested elements.

Industrial Branch Workgroup



Jennifer Dodd (TN)
Co-Chair

The primary focus of the Industrial Branch Workgroup includes the pretreatment program and new effluent limit guidelines (ELGs). The group also tracked and informed Association comment efforts on

the Section 316(b) cooling water intake rule proposal and vessel general permit. Other areas of interest include the dental amalgam rule and energy extraction related issues. The Workgroup prepared a letter to EPA on its 2010 Effluent Guidelines Program Plan. The letter expressed concern with the overall federal disinvestment in the ELG pro-



Janet Kieler (CO)
Co-Chair

gram and encouraged updating guidelines for the metal finishing industry, the development of fact sheets and guidance for POTWs for emerging pollutants and airport deicing fluids, and collaboration with states on identifying emerging pollutants to prioritize for ELG development.

Rural Branch Workgroup



Kent
Woodmansey
(SD) Co-Chair



Bruce Yurdin
(IL)
Co-Chair

The Rural Branch Workgroup focuses on the Concentrated Animal Feeding Operation (CAFO) program and the newly created NPDES Pesticide Permitting program. In November 2011, the Workgroup began participating in regular monthly calls with EPA. Topics for the calls included the proposed CAFO reporting rule, the status of state pesticide general permits (PGPs), substantive differences between state PGPs and EPA's PGP, pesticide permitting legislative activity and industry perspectives, manure transfer, the new Natural Resources Conservation Service 590 standard, and several potential CAFO program updates. The Workgroup leadership was instrumental in discussions with EPA regarding an assessment of state CAFO data. The group is also assisting ACWA with planning for the October 2-4, 2012 CAFO Roundtable.



Hanging Rock State Park, North Carolina
(Courtesy of Bridget Munger)

State, Regional, & Other NPDES Issues Workgroup

Some of the primary focus areas of the State, Regional, & Other NPDES Issues Workgroup are the NPDES Program Updates Rule, SSOs, peak flow & blending, CSO program revisions, and the Permit Writers Guide for Nutrients. While the year began somewhat quietly on these issues, EPA's Integrated Planning Framework initiative quickly gathered momentum. P&CC and Workgroup members participated on calls, regional workshops, and in face-to-face meetings with EPA and other stakeholders to improve and enhance EPA's draft integrated planning policy. The Workgroup also assisted EPA with outreach on EPA's new Whole Effluent Toxicity (WET) analysis spreadsheet.



Peter Tennant
(ORSANCO)
(3/12-Present)
Chair



Shellie Chard-McClary (OK)
(Until 3/12)
Chair

Stormwater Workgroup

The Stormwater Workgroup continued in a busy form this year, with monthly state/EPA calls. Topics for the calls never waned, and included green infrastructure implementation utilizing codes and ordinances, development of a new national stormwater rule, incentive programs, flow based models, impervious surface measurements, stormwater surrogates, the Construction & Development Rule (C&D), EPA and state construction general permits, establishing TMDL wasteload allocations for stormwater sources, the numeric turbidity standard, inspection frequency/monitoring requirements, logging/forest roads, the stormwater universe and the eReporting rule, MS4 Permits & the Chesapeake Bay TMDL, stormwater retention & groundwater impacts, stormwater trading schemes, stormwater program fees, climate change adaptation, unique aspects of linear and differentiating compliance obligations based on system type.



Mary Borg (VT)
Chair

Monitoring, Standards, and Assessment Committee

The Monitoring, Standards, & Assessment (MSA) Committee remained very active this year, holding 10 Committee calls to discuss a variety of hot topics, including bioconfirmation/independent applicability for numeric



Derek Smithee
(OWRB)
Co-Chair



Martha Clark Mettler
(IN)
Co-Chair

nutrient criteria, natural conditions, ammonia criteria, pharmaceuticals, and impending water quality standards regulatory revisions.

Members of the MSA Committee, and ACWA staff, actively partici-

parted in a state/EPA workgroup exploring options for reducing reporting burdens in Sections 303(d)/305(b) integrated reporting. Some Committee members also partici-



Bill Creal (MI)
Board Liaison

ipated in a state/EPA workshop in October 2011 on independent applicability/biocriteria in nutrient criteria development. The Committee also focused on drafting ACWA's comments to EPA on draft Recreational Water Quality Criteria, raising concerns over the lack of implementation guidance and emphasizing the need to consult with states on implementation assumptions. The Committee supported

ACWA and other groups' effort to seek continued funding for U.S. Geological Survey's Streamgauge and National Water Quality Assessment programs.

Nutrients Policy Committee

Given the magnitude of the nutrient pollution problem across the country, this year the Nutrients Policy Committee increased its call frequency to bi-monthly. Call topics included the use of bioassessment in nutrient criteria development, state nutrient reduction strategies, such as the use of technology-based nutrient controls and USDA's National Water Quality Initiative.

The use of bioassessment in state nutrient programs was a topic of significant discussion this year. Over 15 states participated in the October 2011 *State/EPA Workshop on Use of Biological Assessment in State Water Programs: Focus on Nutrients*, which provided an opportunity for detailed information exchange on this challenging topic. Following the Workshop,

ACWA collected state responses to a bioassessment questionnaire, which will be provided in a forthcoming compendium. Throughout the year, the Committee kept ACWA members apprised of state progress made with respect to receiving EPA approval for their nutrient biocriteria approaches. ACWA is turning its attention to working with EPA on bioconfirmation guiding principles.

Several Committee members participated in a State/EPA Numeric Nutrient Criteria (NNC) Implementation Workgroup this fall, which determined and discussed barriers to NNC implementation, as well as possible solutions. EPA is now working on implementing those proposed solutions.



Marcia Willhite (IL)
Co-Chair



Mike Tate (KS)
Co-Chair



Drew Bartlett (FL)
Board Liaison

A significant Committee effort this year was working with EPA on its new Nutrient Indicators Dataset (NID), and particularly to best show an accurate picture of state nutrient programs. The Committee focused on recognition for interim steps taken by states, as well as encouraging EPA to recognize the "rich mosaic of solutions" employed by states to achieve nutrient reduction. ACWA circulated a survey to members to assess state nutrient reduction approaches. Responses will be provided in a forthcoming ACWA report.

TMDLs & Watersheds Committee

The TMDLs & Watersheds Committee was extremely productive this year, adopting Subcommittees to focus participation – one on Section 319 and another on TMDLs. Through these Subcommittees, state representatives worked on two major state/EPA initiatives – Section 319 NPS Program Reforms and a Section 303(d) 10-Year Vision. Committee members have been very dedicated to both efforts.

The Section 319 NPS Program Reform process began with recommendations for program improvement set forth by a management level state/EPA workgroup in Appendix C of EPA's report *A National Evaluation of the Clean Water Act Section 319 Program* (Nov. 2011). In February 2012, broader state/EPA workgroups began holding weekly calls to address each of the key issue areas set forth in the report, ul-

timately developing draft white papers with proposed options and recommendations for program enhancements. Based on workgroup discussions, revised draft NPS Management Plan Guidance has been developed for review, and revised draft 319 Grant Guidelines will be released in late 2012. Further state/EPA calls will allow for updates and opportunities for discussion throughout the program reform process.



Tom Stiles (KS)
Co-Chair



Jan Boydston (LA)
Co-Chair



Jenny Chambers
(MT)
Board Liaison

TMDLs & Watersheds Committee members, in addition to members of the MSA Committee, have worked with EPA's Watershed Branch since the fall on a new vision for the Section 303(d) Program. This effort was launched in August 2011 after which Committee members generated a comprehensive "wish list" for the program, which was distilled into a program vision statement and issue threads. Throughout the spring, the state/EPA workgroup met several times to discuss the issue threads and formulate a working draft vision and goal statements. This project will continue into FY 2013, with further work on a draft vision and goals, a draft released for additional stakeholder review, and hopeful adoption by EPA and ACWA following the 51st Annual Meeting. FY 2013 will also include vision implementation.

In FY 2012, Committee members also provided EPA with comprehensive comments on two important draft memoranda pertaining to Revising and Withdrawing TMDLs



In November 2011, ACWA renewed its signature on the Decentralized Partnership Memorandum of Understanding, recommitting to efforts to ensure watershed health by sharing stewardship practices for small systems.

and Multijurisdictional TMDLs. The Committee will collaborate with EPA in the finalization and implementation of these guidance documents.

Legislative Efforts

ACWA's National Office presence in Washington, DC, combined with our substantive water regulatory, legal, and policy expertise, makes the Association a valuable source of information for Congress on key CWA issues and state funding needs. This FY, ACWA actively tracked and reported on Congressional activity relevant to state programs. In addition, when called upon by Congress, we provided relevant and timely testimony on issues close to the heart of state and interstate water programs.



Chard-McClary with Sen. Inhofe (R-OK)

In October 2011, ACWA Region 6 Board Representative Shellie Chard-McClary (OK) testified before the Senate Committee on Environment and Public Works' Subcommittee on Water & Wildlife for ACWA on the nutrient pollution problem in the U.S. and state nutrient reduction approaches. Her testimony focused on the need for flexible approaches to nutrients, successes and challenges faced by states in nutrient reduction efforts, and the importance of tailoring efforts to fit a watershed. In December 2011, Joe Freeman (OWRB) testified before the same Subcommittee on behalf of OWRB and ACWA on the importance of finding sustainable approaches to water infrastructure financing, in particular the need to maintain flexibility in SRFs to allow states to decide how to use the funds. Freeman stated, "If progress is to continue, it will be in the hands of each individual state." ACWA President Walt Baker (UT) also testified in December 2011 before the House Committee on Transportation & Infrastructure's (T&I) Subcommittee on Water Resources & Environment, to provide perspectives on clean water integrated planning.

ACWA continued active involvement with the Healthy Waters Coalition (HWC), a diverse group of water and agricultural stakeholders working to ensure the 2012 Farm Bill better connects agricultural practices to water quality. In December 2011, the HWC released formal policy recommendations for existing Farm Bill programs, and focused on better leveraging agricultural resources to achieve real reductions in nutrient runoff. In February 2012, ACWA joined 643 organizations in a letter sent to Senate Agricultural Committee leaders supporting a strong Con-

Section 2: Regulatory, Legislative, & Programmatic Accomplishments

servation Title in the 2012 Farm Bill. More recently, ACWA and other associations applauded the Senate amendment to the Farm Bill that would create the Regional Conservation Partnership Program (RCPP), and



Baker with Chairman Gibbs (R-OH)

could provide stable funding over a five-year period for agricultural producers that undertake nutrient management activities and prioritize nutrient management.

ACWA joined in a letter to the Senate in August 2011 supporting a bill to eliminate duplicative pesticide permitting under the CWA and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as well as a letter to Congress in March 2012, supporting increased funding for key clean water programs and preservation of EPA's Beach Monitoring Program.

In March 2012, ACWA submitted written testimony to the House T&I Committee's Subcommittee on Water Resources and Environment urging the Subcommittee to support CWSRF funding at the FY 2012 enacted level and the elimination set-asides associated with CWA Section 106 funds. Additional ACWA efforts regarding clean water funding are discussed in the Funding Task Force section of this Report.

Awards

At ACWA's 50th Anniversary Celebration and 2011 Annual Meeting in Charleston, SC, the Association proudly bestowed the following awards in recognition of exceptional member service. The dynamic Awards Ceremony was emceed by former ACWA President Tom Porta (NV) and opened with an ACWA-commissioned documentary on the importance of clean water and a video greeting by EPA Administrator Jackson, both available on the ACWA website.



Tom Porta

Paul Eastman Environmental Statesman Award

This is the Association's highest award, presented to ACWA members and individuals who have demonstrated outstanding service to the organization over a multi-year period. In 2011, the award was presented to Paul Stacey, formerly with Connecti-



Paul Stacey



Karl Mueldener

cut, now a research coordinator at Great Bay National Estuarine and Research Reserve, of the New Hampshire Fish & Game Department, and Karl Mueldener, Director of the Kansas Department of Health & Environment's Bureau of Water.

Wendell McCurry Exceptional Service Award

This award is given to select members of the Association where exceptional service to the Association has been exhibited and they retire from state/interstate government. In 2011, the award was presented to Frank Baldwin, Chief of the Field Operation Division of the Michigan Department of Environmental Quality's Water Bureau (*not pictured*), and Bob Scott, Manager of the Engineering & Technical Support Programs in the Environmental Protection Division of the Georgia Department of Natural Resources.



Bob Scott

President's Service Award

The President's Award is given annually to a member selected by the ACWA President for their exceptional service to the Association over the last FY. In 2011, the award was presented to Chuck Corell, Administrator of the Iowa Department of Natural Resources' Conservation and Recreation Division.



Chuck Corell

Elizabeth Jester Fellows Environmental Partnership Award

This award is presented to those persons who have, throughout their careers, demonstrated a true and consistent willingness to work cooperatively with the states and with the various interested organizations to effect environmental improvement. In 2011, the award was presented to James A. Hanlon, Director of EPA's Office of Wastewater Management in the Office of Water, and Ken Kirk, Executive Director of the National Association of Clean Water Agencies.



Ken Kirk



James A. Hanlon

Cooperative Agreement between U.S. EPA Office of Water and ACWA

In March 2012, EPA's Office of Water awarded ACWA a new three-year cooperative agreement. The Cooperative Agreement helps facilitate knowledge transfer and enhance collaboration and communication among the state and interstate CWA regulators and EPA. ACWA was tasked with promoting understanding and outreach on new policy and regulatory changes, as well as providing technical assistance to identify and implement improvements in a number of areas related to the NPDES, the TMDL program, water quality monitoring and assessment, nonpoint source, effluent guidelines and water quality standards programs to more effectively protect public health and the environment.



Presque Isle State Park, Pennsylvania (Courtesy of Lori Mohr)

The Agreement identifies four key elements:

- Providing guidance and technical assistance to states and interstates.
- Coordinating training leading to knowledge transfer among state and interstate surface water protection agencies and EPA.
- Conducting research and studies that will enable ACWA to represent and advise states and interstates.
- Providing travel expense reimbursement in support of training and technical assistance for state & interstate personnel.

These elements are spread across eight categories:

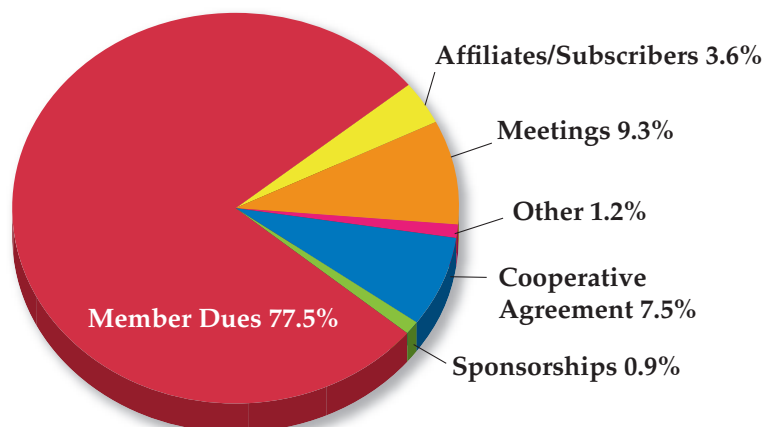
- Water Quality Standards
- TMDLs & Watershed Planning
- Permitting, Compliance & Enforcement
- Monitoring & Assessment
- Nutrients
- Sustainable Infrastructure
- State Program Funding
- Ocean & Coastal Protection

The Cooperative Agreement identifies anticipated outcomes or environmental benefits for each category, as well as tasks to be implemented by ACWA in cooperation with EPA to achieve those outcomes. Those tasks include: supporting states as EPA proposes and finalizes WQS Regulation Revisions; supporting development of a 10-year Section 303(d) program vision and goals, as well as related policies and guidance; supporting state and EPA dialogue on policies and guidance needed to support successful implementation of Numeric Nutrient Criteria (NNC); supporting state implementation of the 2008 Consolidated Animal Feeding Operations (CAFO) rule; and facilitating dialogue regarding improvements to the Nonpoint Source Program. ACWA has organized and provided monthly/quarterly calls, technical support, workshops and meetings, webinars, and workgroups in order to implement the tasks assigned to each category. This Agreement helps states and interstates better serve the public by supporting actions that protect and improve human health and the environment.

Section 3: Fiscal Snapshot

Revenue Sources

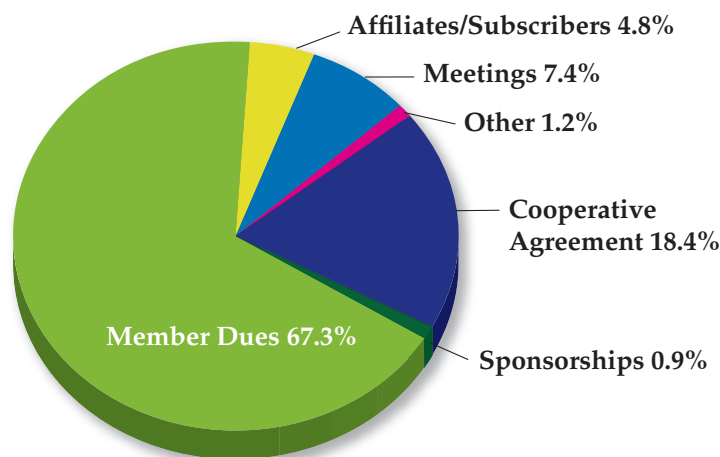
FY2012 Actual Revenue



Revenue Sources	FY2012 Actual Revenue
Cooperative Agreement	\$58,091.73
Sponsorships	\$7,100.00
Member Dues	\$603,169.00
Affiliates/Subscribers	\$28,000.00
Meetings	\$72,322.00
Other	\$9,069.12
Total	\$777,751.85

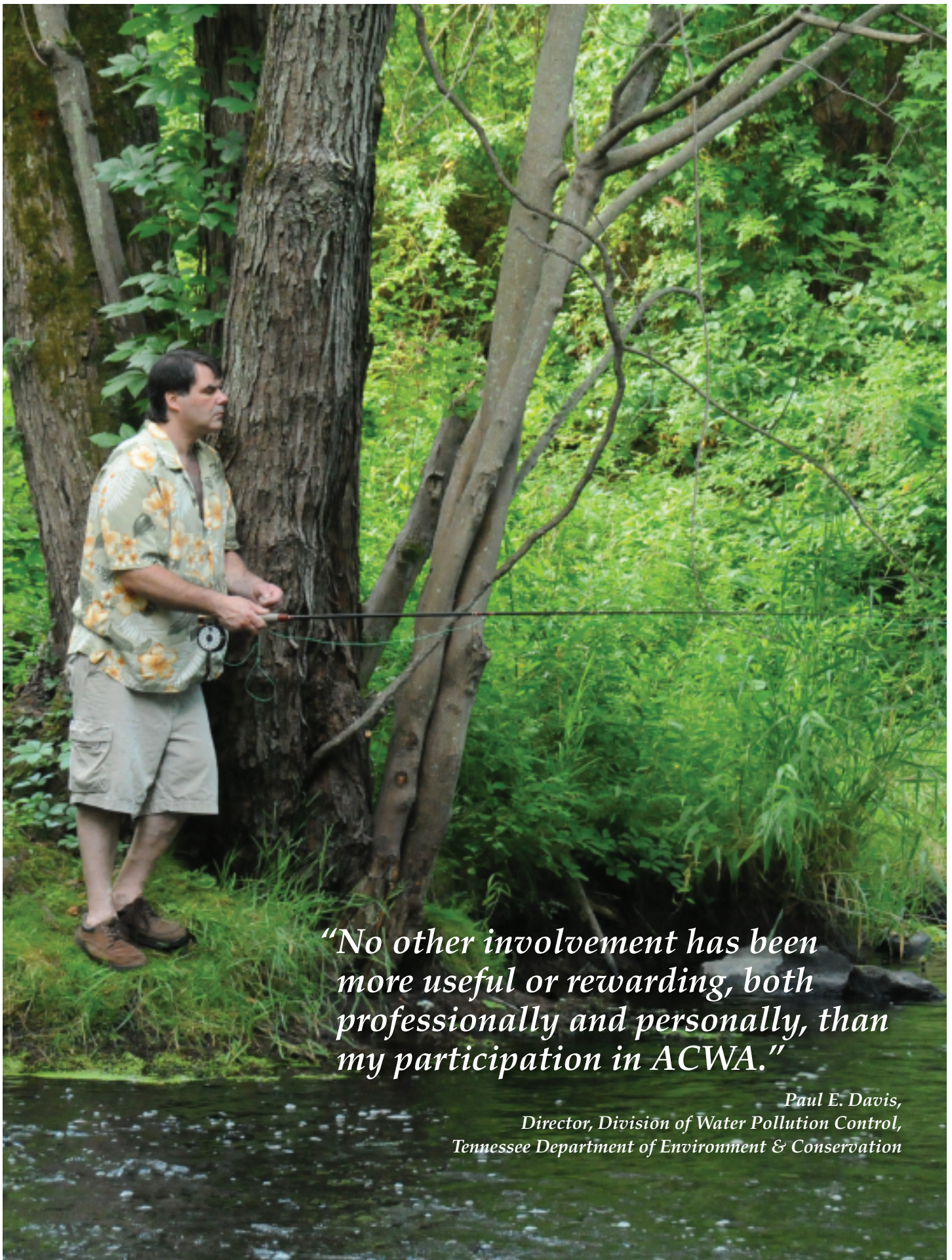
The Association's FY 2012 financial reports were not yet finalized and audited at the time this Annual Report went to press. However, this section presents a good snapshot of ACWA's revenue streams for FY 2012. In March of 2012 ACWA was awarded a cooperative agreement titled *Technical Assistance & Knowledge Transfer – Water Protection Agencies*, which is a new source of revenue from EPA. State and Interstate Member Dues continue to represent the most important revenue source for the organization, and for FY 2012 the Association received approximately 94% of the invoiced dues.

FY2013 Budgeted Revenue



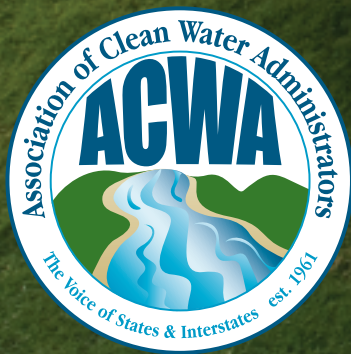
Revenue Sources	FY2013 Budgeted Revenue
Cooperative Agreement	\$162,192.00
Sponsorships	\$8,000.00
Member Dues	\$594,778.00
Affiliates/Subscribers	\$42,000.00
Meetings	\$65,000.00
Other	\$10,200.00
Total	\$882,170.00

The FY 2013 Budget provides the total expected revenue from the list of sources identified. ACWA will continue to work on the cooperative agreement with EPA and recruit Affiliate Members and Legal Subscribers, building relationships to grow these categories of membership. ACWA projects it will collect approximately 95% of invoiced dues. Even with the new federal support, our membership dues are critical to ensuring the financial health and stability of the organization. Thank you for your support of ACWA.



"No other involvement has been more useful or rewarding, both professionally and personally, than my participation in ACWA."

*Paul E. Davis,
Director, Division of Water Pollution Control,
Tennessee Department of Environment & Conservation*



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