

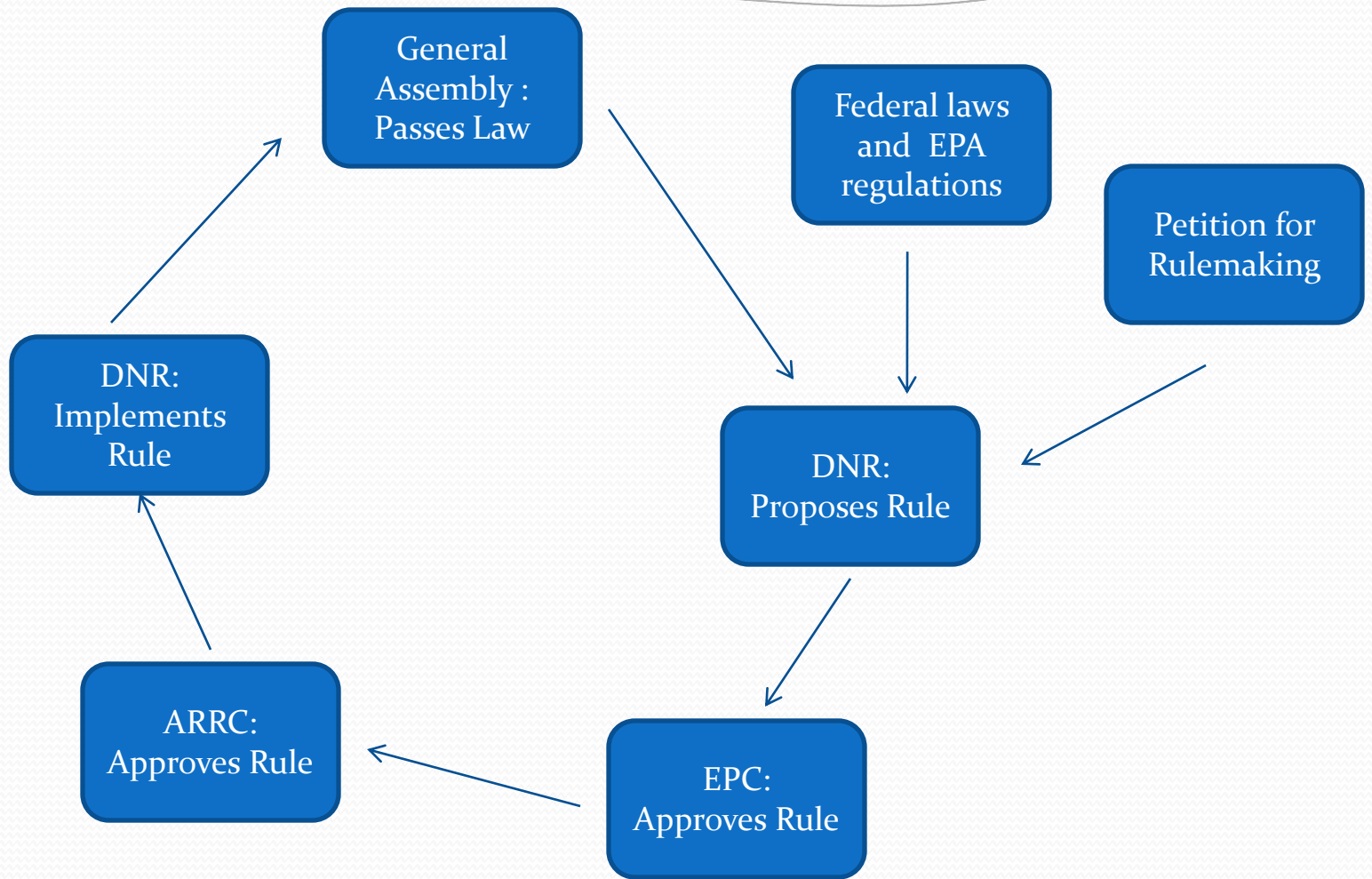
# Antidegradation Policy

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# Presentation Overview

- Our Interests in Antidegradation Policy
  - Issues of concern
    - Costs
    - Difficulty with expansion/development
    - Exceeds federal requirements
  - How cities/businesses may be impacted
- Our Involvement in Process
  - Rulemaking
  - Legislation



# Rulemaking Process: Involvement

- Stakeholder meetings to draft antidegradation implementation document
  - the Iowa League of Cities
  - IRWA
  - Iowa Water Pollution Control Association technical experts
  - ABI
  - Farm Bureau
  - Environmental groups

# Coalition

- Initially, a coalition formed after stakeholder group concluded.
  - Agribusiness Association of Iowa
  - Iowa Association of Business and Industry
  - Iowa Farm Bureau Federation
  - Iowa League of Cities
  - Iowa Limestone Producers Association
  - Iowa Renewable Fuels Association
  - Iowa Rural Water Association
  - Iowa Water Pollution Control Association
- Filed separate petition with DNR.

## Iowa Rulemaking Process: Antidegradation

- The antidegradation rule itself will be brief.
- Heart of the antidegradation requirements will be contained in the implementation document.
- There is no legal requirement to adopt by rule the implementation plan.

# Specific Issues of Concern: Tier 2.5

- What is Tier 2.5?
  - Provides additional level of protection to high quality state waters.
  - Prohibits new or expanded discharges.
  - Applies to watersheds above listed waters.
- What is the problem?
  - Not required by federal rule
  - Open, non-scientific nomination process
  - Effects on Economic Development
  - Community notice and involvement

# Specific Issues of Concern: Costs

- Cost of alternatives analysis.
  - Engineering costs.
  - Increased costs of project.
- What is affordable?
  - Could be required to implement alternatives costing up to or more than 115% of base cost.
- Tier 2.5 or Tier 3.
  - No new or expanded discharges.
  - Cost prohibitive.

# Specific Issues of Concern

- Impact on unsewered communities
- Impact on separation of combined sewers
- Protection of permitted design capacity
- Impact on stormwater discharge general permits
- No retroactivity – applies only to new or expanded discharges upon adoption of rule

# Legislation

- League and IRWA crafted legislation to address these concerns.
- Introduced in Senate Environment Committee.
  - SSB1260: conservative approach. Stated could not go beyond federal requirements.
  - SF442: more of a compromise bill.

# Legislation

- “Fight” at legislature between environmental groups and other interests.
- EPA had very minor concerns with the initial bill draft, but overall, it met the CWA rule standards.
- Even after compromises, such as including a Tier 2.5, got “stuck” in Senate.

# Rulemaking Process: Continued

- Rulemaking goes on.
- League and IRWA will continue involvement before ARRC and EPC.
- Working with DNR to address concerns.
- Lots of work ahead!



What Questions Do You Have?

# More Information on Antideg

- <http://www.iowadnr.gov/water/standards/index.html>
- Presenter's Emails:
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