

Federal transportation funding to expire in one year

Public works leaders call for immediate action

APWA recently launched a federal transportation authorization outreach campaign, *Reinvesting in America's Transportation System*, during the 2008 APWA International Public Works Congress and Exposition. Designed to provide information and guides for advocacy and outreach, the campaign includes a new video, toolkit and Web site (www.reinvestintransportation.apwa.net).

"Now is the time to be actively engaged in the future of our nation's transportation system," said Noel Thompson, APWA President. "As stewards of public infrastructure, we in the public works profession have an opportunity with the next transportation authorization to seek long-term policy solutions ensuring an adequately funded, sustainable transportation system for the next century."

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) is the federal law funding state and local transportation programs. It expires

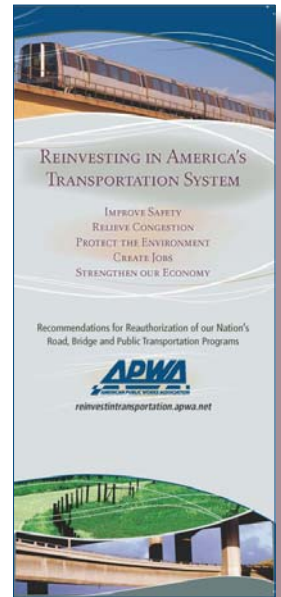
September 2009.

Reinvesting in America's Transportation System provides tools and resources to equip APWA members and chapters for transportation authorization advocacy at the local, state and national level. Campaign elements reinforce the benefits of transportation investment – improved safety, congestion relief, environmental protection, job creation and a stronger economy.

A comprehensive toolkit offers resources to interact with elected officials and media professionals, and includes template letters, fact sheets, position papers and background information. It is designed to evolve over time as new and updated materials become available.

An accompanying six-minute video outlines transportation funding challenges, solutions, benefits and a call for action from a public works perspective.

Updated materials and resources are available at www.reinvestintransportation.apwa.net.



APWA's *Reinvesting in America's Transportation System* campaign is available at www.reinvestintransportation.apwa.net.

Stimulus stalls as Senate fails to pass legislation

On Sept. 25, Senator Majority Leader Harry Reid (D-NV) and Senate Appropriations Chairman Robert Byrd (D-WV) unveiled their \$56.2 billion plan to help stimulate the economy. The Senate voted the following day and the measure failed to pass by a 52-42 vote. Plans for a stimulus bill had been in the works even before the August recess, but were cancelled amid partisan wrangling over energy legislation, and faltered again in mid-September when the hardships facing the banking industry and Wall Street took

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center stage. The stimulus packages are aimed at recovery efforts of low and middle-income households, and it is possible that there may be moves to attach some or the entire stimulus plan to the much bigger Wall Street bailout bill.

On Sept. 26, despite the Senate's failure to pass their stimulus legislation, the House approved its own \$60.7 billion stimulus package, by a 264-158 vote. The House plan includes roughly \$36.9 billion for infrastructure projects, including \$12.8 billion for highway and bridge spending, \$7.5 billion for drinking water and sewer projects and \$5 billion for Army Corps of Engineer projects.

The Senate bill would have included \$10.8 billion for highway, bridge, airport, transit and rail improvements, nearly one-fifth of the package's total funding. According to the Senators, the infrastructure money would create 384,000 jobs.

The legislation is unlikely to pass this year, as not only the Senate has failed to pass its measure, but the White House has threatened to veto any stimulus legislation.

APWA will continue to monitor the progress of a second stimulus. For updates and additional information, please visit www.apwa.net/Advocacy/.

President signs stop-gap funding measure

On Sept. 27, President Bush signed into law a continuing resolution (H.R. 2638) that would ensure much of the federal government remains funded until March 6, 2009, at the current 2008 fiscal level. October 1 marks the beginning of the new fiscal year.

The bill was passed in the House

on Sept. 24 by a vote of 370-58 and by the Senate on Sept. 27. The legislation is part of a package that includes three security-related spending bills: Defense, which would provide \$487.7 billion to the Pentagon in discretionary funding; Homeland Security, which would get \$40 billion and; Military Construction-VA, which would get roughly \$72.9 billion. This resolution will also continue funding for transportation and environmental programs at fiscal year 2008 levels.

"The measure is relatively clean of non-appropriations provisions," said House Appropriations Chairman David R. Obey (D-WI). There are some Limited Add-ons which include \$5.1 billion for a Low Income Home Energy Assistance Program and a disaster package that would provide \$5.8 billion in emergency funding to New Orleans and \$7.9 billion for FEMA disaster relief.

For additional information, please visit www.apwa.net/Advocacy/.

Senate committee authorizes \$38 billion for water

The Senate Environment and Public Works Committee passed a bill that would reauthorize state revolving funds (SRF) for clean water and drinking water facilities. The bill, S. 3500, provides an estimated \$38 billion over five years for the revolving funds and other water programs. The Water Infrastructure Financing Act was sponsored by Senator Frank Lautenberg (D-NJ) and if enacted, would make the first reauthorization of these programs in over a decade.

The \$38 billion reflects funding for sewer overflow grants and other

water programs with the bulk of the funding targeted to the two state revolving funds. The bill also expands the types of projects eligible for funding, including monies for green infrastructure projects. The bill also contains provisions to assist small communities in meeting their water and wastewater infrastructure needs and allows SRF financing for security-related upgrades. Funding under the proposal is authorized for fiscal years 2008-2012, but the amount of money actually allocated to the programs will be subject to annual appropriations.

It is not likely that the Senate will take up this bill before the end of this session but the bill will provide a good starting point to begin discussions with the relevant House and Senate committees at the beginning of the 111th Congress. To review the bill visit www.apwa.net/advocacy.

Advisory committee recommends revisions to coliform rule

Members of the Total Coliform Rule/Distribution System Advisory Committee recently released a roadmap for revising the 1989 Total Coliform Rule. The Committee recommended a requirement that systems with positive total coliform or E.Coli monitoring results to conduct an assessment to identify whether a sanitary defect is present and to correct any defects identified. The revised rule would maintain a maximum contaminant level (MCL) goal and a maximum contaminant level for E.Coli, and would use both E.Coli and total coliform

monitoring to establish a framework for public water systems to assess for sanitary defects and correct them as appropriate. The roadmap also said E.Coli would remain a regulated contaminant with a MCL goal of zero.

To review the Advisory Committee's recommendations visit www.epa.gov/safewater/disinfection/tcr/regulation_revisions_tcrdsac.html, and click on Agreement in Principle.

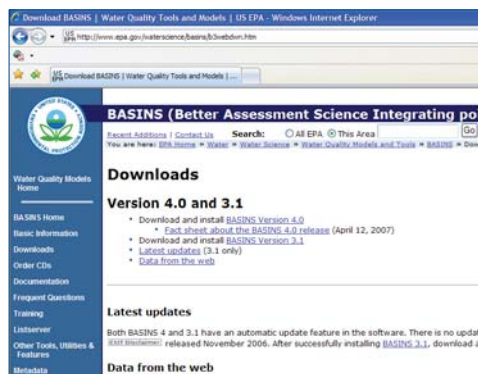
Final rule revises definition of solid waste to encourage recycling

The Environmental Protection Agency (EPA) issued a final rule under the Resource Conservation and Recovery Act to streamline regulation of hazardous secondary materials when they are recycled by reclamation. The rule excludes materials from the federal hazardous waste system that are (1) generated and legitimately reclaimed under the control of the generator; (2) generated and transferred to another company for legitimate reclamation under specific condition; or (3) determined by EPA or an authorized state to be non-wastes on a case-by case basis via a petition process.

The final rule also contains a provision to determine which recycling activities are legitimate under the new exclusions and non-waste determinations. These exclusions are not available for materials considered inherently waste-like, used in a manner constituting disposal or burned for energy recovery. Additional information on the new rule is available at www.epa.gov/epawaste/hazard/dsw/index.htm.

BASINS 4.0 released

The Environmental Protection Agency (EPA) is seeking comment on a draft document BASINS 4.0 Climate Assessment Tool (CAT): Supporting Documentation & Users Manual (EPA/600/R-08/088). BASINS CAT provides a flexible set of capabilities for creating user-defined climate change scenarios for assessing the influence of climate variability and change on water quantity and quality using the Hydrologic Simulation Program – FORTAN (HSPF) watershed model. The report provides documentation and technical user tutorials demonstrating the application of BASINS CAT to a range of problems. Additional information and access to the tool is available at www.epa.gov/waterscience/basins/b3webdwn.htm.



BASINS 4.0 is available at www.epa.gov/waterscience/basins/b3webdwn.htm.

EPA issues perchlorate health advisory

The Environmental Protection Agency (EPA) decided against establishing a regulation for perchlorate in drinking water at the national level. After conducting an extensive review of data related to the health effects of exposure to perchlorate from drinking water, the agency found that in more than 99 percent of public water systems perchlorate was not at levels of public health concern and therefore did not require regulation. Instead, EPA intends to release a health advisory related to perchlorate that will provide technical guidance to federal, state and other public health officials on the health effects, analytical methods and treatment technologies associated with drinking water contamination. More information is available at www.epa.gov/safewater/ccl/pdfs/reg_determine2/pre-fr_ccl2-reg2_perchlorate.pdf.

Liquid Assets: The Story of Our Water Infrastructure

Liquid Assets: The Story of Our Water Infrastructure is a public media and outreach initiative that seeks to inform the nation about the critical role that our water infrastructure plays in protecting public health and the environment and promoting economic prosperity. APWA, along with a number of organizations, supports this project, which was produced by Pennsylvania State University Public Television.

Combining a 90-minute documentary with a community toolkit for facilitating local involvement, Liquid Assets explains the history, engineering, and political and economic challenges of our water infrastructure, and engages communities in discussions about local water issues. Many PBS stations have picked up the documentary will begin airing the documentary soon. To encourage your local station to air the documentary, visit www.liquidassets.psu.edu.

KCTS	Seattle-Tacoma	9/30/2008	10:30 p.m.
KRMA	Denver	10/1/2008	8:00 p.m.
OETA	Oklahoma	10/1/2008	8:30 p.m.
SCETV	Columbia, SC	10/1/2008	9:30 p.m.
NPT	Nashville	10/1/2008	8:00 p.m.
WVIZ	Cleveland-Akron (Canton)	10/2/2008	10:00 p.m.
WETA	Arlington, VA	10/5/2008	4:00 p.m.
WTVI	Charlotte, NC	10/5/2008	9:00 p.m.
WHYY	Philadelphia	10/5/2008	4:30 p.m.
WETA	Washington, DC	10/5/2008	4:00 p.m.
WHUT	Washington, DC	10/5/2008	10:30 p.m.
KLVX	Las Vegas	10/7/2008	10:00 p.m.
WBCC	Orlando	10/1/2008	9:00 p.m.
WTVI	Charlotte, NC	10/5/2008	9:00 p.m.
KPBS	San Diego	10/8/2008	10:30 p.m.
WHUT	Washington, DC	10/8/2008	8:00 p.m.
WPSU	University Park	10/8/2008	8:00 p.m.
KLVX	Las Vegas	10/9/2008	4:00 a.m.
WTVI	Charlotte, NC	10/10/2008	10:30 p.m.
KBTC	Seattle-Tacoma	10/10/2008	8:00 p.m.
WQED	Pittsburgh	10/12/2008	3:00 p.m.
WTVI	Charlotte, NC	10/12/2008	4:30 p.m.
SCETV	Columbia, SC	10/12/2008	4:30 p.m.
KLVX	Las Vegas	10/12/2008	5:00 p.m.
KUED	Salt Lake City	10/15/2008	9:00 p.m.
SCETV	Columbia, SC	10/15/2008	9:30 p.m.
WCET	Cincinnati	10/16/2008	10:00 p.m.
KLRU	Austin, Texas	10/19/2008	2:00 p.m.
KVIE	Sacramento	10/19/2008	11:00 p.m.
KUED	Salt Lake City	10/21/2008	11:00 p.m.
WMVS	Milwaukee	10/20/2008	10:00 p.m.
KTXT	Lubbock, Texas	10/22/2008	8:00 p.m.
KERA	Dallas, Texas	10/26/2008	4:30 p.m.
SCETV	South Carolina	10/26/2008	5:00 p.m.
WOSU	Columbus, OH	10/28/2008	9:30 p.m.
KLVX	Las Vegas	10/30/2008	10:00 p.m.
RIPBS	Rhode Island	10/30/2008	8:00 p.m.
KLVX	Las Vegas	11/1/2008	4:00 a.m.
KLVX	Las Vegas	11/1/2008	10:00 a.m.
KLVX	Las Vegas	11/1/2008	10:00 p.m.
KETC	St. Louis	11/2/2008	2:30 p.m.
Maine PBS	Maine	11/2/2008	tbd
KVIE	Sacramento	11/3/2008	7:30 p.m.
KVIE	Sacramento	11/4/2008	12:00 a.m.
GPB	Atlanta	11/9/2008	6:00 p.m.
KEDT	Corpus Christi, TX	11/11/2008	9:30 p.m.
KCPT	Kansas City, MO	11/13/2008	8:00 p.m.
WYBE	Philadelphia	11/15/2008	7:00 p.m.
KCPT	Kansas City, MO	11/16/2008	3:00 p.m.
KEDT	Corpus Christi, TX	11/23/2008	3:00 p.m.
	Harlingen, Texas	tbd in Nov.	
	Houston, Texas	tbd in Nov.	
	El Paso, Texas	tbd in Jan.	
WFYI	Indianapolis	tbd	
KCET	Los Angeles	11/15/2008	10:30 p.m.
KPTS	Wichita	10/5/2008	10:00 p.m.
KTWU	Topeka	11/9/2008	2:30 p.m.
VPT	Burlington, VT	10/12/2008	11:30 p.m.

House committee releases climate change legislation discussion draft

The House Energy and Commerce Committee released a climate change discussion draft that will serve as a key guidepost for next year's anticipated debate on climate and energy policy. The draft proposed an 80 percent reduction in greenhouse gas emissions from current levels by 2050. Under the proposal, limits on emissions from electric utilities, as well as petroleum producers and imports, would begin in 2012. By 2014, large industrial manufacturing plans would face emissions limits. Residential and commercial local distribution companies for natural gas would be covered beginning in 2017.

For smaller and mid-sized companies, the proposal gives the Environmental Protection Agency (EPA) the authority to set limits on any plant that releases less than 25,000 tons per year of greenhouse gases. Hydrofluorocarbons would be regulated separately from other greenhouse gas emissions through an amendment to Title VI of the Clean Air Act. The proposal also specifically bars state and regional efforts to develop their own emissions caps and regulations.

In terms of emissions allowances, the draft provides four options for dividing up hundreds of billions of dollars worth of credits over the program's lifetime. One proposal would provide free allocations for all regulated entities while another option would focus free allocations toward climate-related programs including technology development, energy efficiency projects, adaptation and international efforts. The draft

phases out all free allowances by 2026 and turns to an auction that will recycle all of the revenue back to taxpayers. The discussion draft is available at <http://energycommerce.house.gov>.

EPA releases final strategy to reduce climate change effects on water resources

The Environmental Protection Agency (EPA) released the *National Water Program Strategy: Response to Climate Change* that outlines actions to manage programs and invest resources aimed at reducing the adverse effects of climate change on water resources. The strategy divides water program responses into 5 areas: reducing greenhouse gas emissions, adapting to climate change, conducting climate change related research, managing water programs and educating water program professionals. The final strategy includes 40 specific responses the National Water Program can take including developing new tools to assure that water discharge permits reflect climate change impacts on water bodies, supporting estuary response plans, improving energy/water savings at sewage treatment plants and integrating climate information into existing training programs for water professionals.

The *National Program Strategy: Response to Climate Change* is available at www.epa.gov/water/climatechange.

FHWA issues final rule on advance construction of federal-aid projects

The Federal Highway Administration (FHWA) has revised its regulation for advance construction of federal-aid projects. The revised rule removes the restriction that a state must obligate all of its allocated or apportioned funds, or demonstrate that it will use all obligation authority allocated to it for federal-aid highways and highway safety construction, prior to the approval of advance construction projects.

In addition, it clarifies that advance construction procedures may be used for all categories of federal-aid highway funds, and that any available federal-aid funds for which a project is eligible may be used when a project is converted to a federal-aid project.

The revisions make the regulation consistent with the advance construction statute, which was amended by a provision enacted in SAFETEA-LU. The regulation went into effect September 25. For more information contact the Federal-aid Financial Management Division at (202) 366-0978.

Transportation Secretary Peters receives APWA Presidential Leadership Award

On Sept. 9, U.S. Transportation Secretary Mary Peters was presented with the 2008 American Public Works Association (APWA) Presidential Leadership Award by APWA Past-president Larry Frevert.

Frevert, who recently completed a one-year term as APWA President, selected Peters for her outstanding service and leadership to the public works profession.

"Secretary Peters is a tireless advocate for our nation's infrastructure and always had an open door to APWA leaders and members during my tenure as president and on the APWA Board of Directors," said Frevert. "Throughout her career, she has displayed leadership on transportation issues, commitment to public service and clear understanding of the federal-state-local relationship in delivery of multi-modal transportation services."

Peters was confirmed Transportation Secretary in September 2006. Prior to the appointment she was Federal Highway Administrator from 2001-2005. Peters also spent three years as director of the Arizona Department of Transportation and was a member of APWA.

Recipients of the APWA Presidential Leadership Award are selected by the Association president for their exceptional efforts on behalf of public works infrastructure.



U.S. Transportation Secretary Mary Peters with APWA Past-President Larry Frevert and APWA Director-At-Large, Transportation, Sue Hann.

Bill aimed at repairing bridges blocked in the Senate

Attempts to bring up legislation authorizing \$1 billion to repair deficient bridges on the National Highway System were blocked in the Senate Sept. 26 after the Senate Environment and Public Works Committee approved the bill by voice vote.

The National Bridge Reconstruction and Inspection Act of

2008 (H.R. 3999) requires the Federal Highway Administration (FHWA) and state transportation departments to develop plans to begin repairing and replacing bridges that pose the greatest risk to the public. The legislation also requires FHWA to develop new bridge inspection standards and techniques that utilize the best technology available. The measure requires states to certify they do not have any structurally deficient bridges on the interstate system before they can shift federal bridge funds to other programs. The measure was blocked in the Senate

over objections to this last provision.

The House passed the bill in July. The Bush Administration had issued veto warnings. Bridge safety and funding issues are expected to be addressed as part of the reauthorization of SAFETEA-LU.

President signs FAA extension

President Bush signed into law legislation (H.R. 6984) to extend Federal Aviation Administration taxes and programs for six months until March 31, 2009, effectively deferring action on completing an aviation authorization bill until a new Congress convenes next year. The House passed a four-year authorization bill in September 2007, but efforts to complete a bill in the Senate have remained stalled since late spring of 2008.

New report released on ITS in work zones

The Federal Highway Administration released a new report on the use of intelligent transportation systems (ITS) in work zones. *Benefits of Using Intelligent Transportation Systems in Work Zones: A Summary Report* (FHWA-HOP-08-021) shares the results of a research project that involved quantifiable assessment of the effectiveness of ITS in work zones.

The intent of the study was to find and document benefits and helpful information that could be shared with other states and practitioners looking to effectively deploy the systems. The report is available at www.ops.fhwa.dot.gov/wz/its/index.htm.

President signs bill transferring \$8 billion to Highway Trust Fund

President Bush signed into law legislation to prevent the Highway Trust Fund from becoming temporarily insolvent. The legislation (H.R. 6532), passed overwhelmingly by the House in July and by the Senate in September, authorizes the transfer of \$8 billion from the general fund to the Highway Trust Fund.

The Senate approved the bill by voice vote on Sept. 10, less than a week after U.S. Transportation Secretary Mary Peters announced the Highway Trust Fund would be insolvent much sooner than earlier projections. Peters urged the Senate to approve the bill, reversing the Administration's earlier position opposing the legislation.

The Trust Fund still faces a long-term solvency problem as fuel tax receipts, its main source of revenue, continue to fall. Long-term solutions are expected to be considered when Congress debates a successor to SAFETEA-LU, which expires in September 2009.

APWA joins DHS Ready Campaign during National Preparedness Month

The Department of Homeland Security's (DHS) Ready Campaign (www.ready.gov) sponsored its fifth annual National Preparedness Month (NPM) in September. Supported by more than 2,700 participants—which included the American Public Works Association—the NPM coalition

consisted of national, regional, state and local organizations. Throughout the month of September, coalition members worked tirelessly to encourage all Americans to take steps to prepare for emergencies before they happen.

“National Preparedness Month is an important reminder about each American's civic responsibility to prepare for emergencies,” said Homeland Security Secretary Michael Chertoff. “Those with the capacity and wherewithal to help themselves must do so in advance, so that in the event of an emergency, responders can first assist those who are unable to tend to themselves. From wildfires and earthquakes in California to hurricanes and tropical storms along the Gulf Coast and flooding in the Midwest, recent events remind us more than ever that we must prepare ourselves and our families for a disaster. This is the time, each year, when every American should ask the question, ‘Am I ready?’”

The Ready Campaign and Citizen Corps (www.citizencorps.gov) encouraged individuals across the nation to take important preparedness steps to greatly improve their ability to survive and recover from all types of emergencies, whether natural or man-made. Steps included compiling an emergency supply kit, making a family emergency plan, staying informed about emergencies and becoming involved in community preparedness and response efforts.

Senate Homeland Security and Governmental Affairs Committee Chairman Joseph Lieberman (I-CT) and Ranking Member Susan M. Collins (R-ME), along with House Homeland Security Committee Chairman Bennie G. Thompson (D-MS) and Ranking Member Peter

T. King (R-NY), served as honorary Congressional Co-Chairs of NPM 2008. Their leadership helped to increase public awareness about the importance of emergency preparedness on Capitol Hill and throughout the country.

PDM funding extended; reauthorization will be a priority next year

With the Pre-Disaster Mitigation (PDM) Program scheduled to sunset Sept. 30, Congress worked quickly to allocate funds for this program. President Bush signed into law a continuing resolution, the Department of Homeland Security Appropriations Act of 2008 (H.R. 2638) hours before a new fiscal year began.

As authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and the Disaster Mitigation Act of 2000, H.R. 2638 will keep the PDM Program funded through March 6, 2009, leaving final decisions on spending for domestic programs to the next Congress and President.

The continuing resolution allocates \$22.9 billion for disaster relief to remain available until expended, which includes \$120 million set aside for the PDM Program. Managed by the Federal Emergency Management Agency (FEMA), the PDM Program provides funds to states, territories, Indian tribal governments, communities and universities for hazard mitigation planning and the implementation of mitigation projects prior to a disaster event. Funding these plans and projects

reduces overall risks to the population and structures, while also reducing reliance on funding from actual disaster declarations. PDM grants are to be awarded on a competitive basis and without reference to state allocations, quotas or other formula-based allocation of funds.

It is likely that PDM reauthorization will be hot topic when the 111th Congress convenes in January 2009. Even though funding is extended until March 6, lawmakers and stakeholders will seek to reauthorize this program well before funding runs out next spring.

Contributors include Julia Anastasio, Laura Berkey, Jim Fahey and Maggie Oldham. Becky Wickstrom is editor.