



## **Integrated Planning Codified in Clean Water Act February 2019**

On January 14, President Trump signed HR 7279, the Water Infrastructure Improvement Act of 2018 into law. The bill codifies into the law EPA's Integrated Planning (IP) framework, allowing communities to negotiate with EPA to better prioritize their most pressing public health and environmental concerns efficiently and cost-effectively. The IP changes make clear that local governments may pursue integrated planning approaches via a permit or within the enforcement context. The language also expands the ability of a utility to prioritize wastewater and stormwater compliance obligations, as well as water reuse, water recycling, green infrastructure, and other innovative projects, over multiple permit terms. In addition, the bill directs EPA to support the use of green infrastructure in permits, consent decrees, and settlement agreements. It establishes, for the first time, a Municipal Ombudsman office within EPA to act as a liaison between EPA and the municipal regulated community to help address regulatory concerns. The legislation does not include language related to EPA's financial capability and affordability guidance. However, it appears that EPA is already working to update the guidance in line with recommendations from a congressionally-directed National Academy of Public Administrators report in 2017. There is broad congressional agreement to keep working on financial capability and water affordability issues, and Members of Congress from both parties have made a commitment to take this issue up in 2019.