

SUFC Policy Workgroup Call Notes 4/5/13 (2pm)

Participating: Rebecca Turner/Josh deLacy, Gary Belan, Nick Tobenkin, Faith Campbell, Carrie Gallagher, Jen Hinrichs, John Barnwell, Mark Truax, Rebecca Arvin, Gerry Gray, Jake Donnay, Chuck Mills, Alice Ewen, Kevin O'Hara

1. EPA Stormwater Rulemaking

- EPA draft rulemaking for stormwater is slated for release June 10th – but may be pushed back three months for a Sept. release. Rulemaking is geared toward updating MS4 permits (including perf. standards) for 80/85% on-site management of stormwater for larger cities.
- EPA cannot mandate green infrastructure (GI); however, it may be a logical/default partial solution for many munis – good news for our sector. This could incentivize green infrastructure significantly.
NOTE: EPA consulted with Dave Nowark/iTree @ trees and stormwater benefits in this rulemaking).
- SUFC wants to ensure that green infrastructure is part of the stormwater abatement solution. The rule will update MS4 permits so that all large municipalities have to do stormwater management and have the permits in place. The two major results from this rule-making will be:
 - EPA will increase its performance standard. All cities will have to manage stormwater on site, to withstand storms up to the 85th percentile.
 - Enlarging the permit community. Developing communities will require permits, which could result in a larger population that needs green infrastructure.
- There are a number of opportunities for SUFC members to sign-on to letters to encourage the release of the draft rulemaking. These letters are intended to prove the wide range of support for the opportunity to comment on the draft rulemaking - and not specifically about what that rule making should entail. Tailored letters exist for green infrastructure practitioners and businesses, as well as for nonprofits and other classifications.

ACTION ITEM: Gary will distribute the various sign-on letters to the working group for members to select whether they opt to sign on letters being circulated by American Rivers and their coalition partners (done individually, not under SUFC banner) at this stage. See attached draft letter with NGO focus from American Rivers. PLEASE CONTACT GARY BELAN @ Am Rivers directly for more information or to sign on.

This is time sensitive.

ACTION ITEM: American Rivers will coordinate/present a stormwater webinar for SUFC coalition members and their member organizations later this summer (June or early July). ACTrees is willing to be the webinar host. Jen, Gary, and Carrie will meet to discuss this webinar further.

- Once the draft rulemaking is released, the SUFC Policy Workgroup will discuss the range of possibilities regarding comments - whether there are broader statements SUFC can provide, or sample language individual groups can use in their separate comments.

2. Appropriations/Budget

- Multiple Policy (and other) workgroup members edits are being incorporated into the Appropriations language. Sub-group will meet Monday, 10 AM, April 8th to further refine comments and submit revised version to full WG for comment/approval.
- As a point of clarification, **CURRENT SUFC appropriations testimony is using pre-sequester FY12 funding levels (\$30.1 million)**, in hopes that FY13 levels will be a one-time occurrence and future funding will revert to levels established before the sequester. We do not have to explain this rationale to the Hill, but we will have to explain it our members when we circulate it for their sign-on.
- Unlike the FY13 letter, this testimony does not mention the Forest Service's strategic tree-planting initiative, because the Forest Service is unlikely to put that program into its appropriation testimony this year.

ACTION ITEM: Jake, Faith and Becky will meet to finalize the language split between the two versions of the forest health section.

ACTION ITEM: Gerry will include this clarification in the cover letter to SUFC as a whole.

ACTION ITEM: **The full SUFC coalition will see the edited version on Monday (4/8) and will have until Friday (4/12) at 5 p.m. EST to sign on. The appropriations testimony will be sent to the Hill on the 15th, in time for the hearing on the 16th.**

3. Energy Conservation Through Trees Act

- Matsui will reintroduce the Energy Conservation for Trees Act on Arbor Day (Apr. 26). The intent of the bill is to support energy-saving tree planting by delivering DOE grants to local tree planting organizations. The bill was last proposed in 2011, at which time SUFC wanted more inclusive language that represented the full coalition. ACTrees and the National Assoc. of State Foresters were most involved in this language change, and they made initial new language edits to this year's version of the bill.
- Jake had three edits:
 - section 6A (grant authorization process), the DOE should work with the Forest Service or state or territorial forestry agencies, because the DOE likely lacks expertise in delivering tree planting programs.
 - section 5A (financial, technical, and related assistance), the Forest Service and other forestry agencies should be reimbursed for the time they spend helping the DOE with the grant process. This would prevent the bill from creating an unfunded mandate.

- the term "tree planting organization" needs to be clarified to include groups that do not have non-profit 501(c)3 status. (Chuck said section 6 explains alternate routes for such groups.)
- The team in California came up with language that addresses how to defer a grant to a larger group if a qualified organization is present. It also removed some references in section 7.
- In section 7, there should be a guaranteed role for state and terrestrial forestry. There was also a concern about the specificity in section 7, paragraph 6.
- What does "in consultation with..." actually mean? Is this interpreted on a state-by-state basis?
- Further discussion is needed to fully debate the language suggestions, additional edits proposed, concern about increasing bureaucratic processes with language edits, and incorporate SUFC members concerns over all.

ACTION ITEM: Future call dedicated to discuss how to progress on Matsui language. To join call, indicate availability via Doodle poll: <http://doodle.com/aysd2bz7rmwav59i>

ACTION ITEM: Jen and Alice will reconnect on date for "All Family" webinar on Appropriations budget as hosted by Forest Service, approx. 2 weeks after President's budget release.