

**House, Senate Appropriations Panels to Pass New Continuing Resolution (CR):** Congress returns to work this week. Lawmakers are discussing strategies on how to get the CR passed before a current stopgap expires on December 9. The White House declined to signal support for the plans being discussed in the Capitol.

**EPA Wants to Get More Involved in Small System Consolidation:** See the Agency's recent presentation on the topic ([link](#)). EPA calls the concept "partnerships." In [legislation](#) supported by the private water industry, "partnership" is defined as "a change in the ownership or the financial, technical, and operational management structure of a water system." Earlier this year, NRWA [testified](#) on the subject before the U.S. Senate, stating, "*Rural Water supports consolidation and regionalization; it has been our core mission in expanding water service to deliver water to more rural families and enhance economic development. We have consolidated/regionalized many smaller communities and extended new water service to many rural families, communities, underserved areas, farms and businesses. This has been a great benefit to these rural households and small communities. However, the key ingredient in any successful consolidation is local support for the consolidation – and local control of when and how they choose consolidation. Rural Water has led or assisted in more communities consolidating their water supplies than any program, policy or organization. Again, when communities believe consolidation will benefit them, they eagerly agree. However, if communities are coerced to consolidate, one can almost guarantee future controversy.*"

### **EPA Employee Morale Down Due to Pending Trump**

**Administration:** Several EPA employees told InsideEPA.com that morale at the agency has taken a significant downturn due to the uncertainty about President-elect Donald Trump's plans for the agency. They charge that the Republican's campaign trail pronouncements threaten to eliminate or curb the agency and undo major Obama EPA rules and that is creating unease among staff. Trump's election marks the first time a candidate who has called for eliminating EPA has won the presidency. "There were people crying in the office the day after the election; we are going to fight to maintain our presence," a source told reporters.

**EPA Administrator Looks Forward to a "Smooth Transition":** Last week, EPA Administrator Gina McCarthy said she will show the new Administration the "breadth of the work of the agency and how well we've done our jobs." The Administrator said the EPA had not yet been contacted by the transition team of President-elect Donald Trump.

**SCRWA Advocacy to Ensure SRF Funding Targets Stand Up for Small and Rural Communities is working in Congress:** In October, South Carolina Rural Water Association (SCRWA) raised concerns with Senate legislation to change SRF ranking criteria, claiming it would reduce the number of small disadvantaged water systems that receive SRF funding ([SCRWA](#)). We heard that the provision has been significantly modified to address SCRWA's concerns in the negotiations occurring between the House and Senate to pass a final bill ([WRDA 2016](#)).

**Kansas 1926(b) Dispute Lasts over a Decade and Costs Millions:** "Representatives of the city of Eudora and Douglas County Rural Water District No. 4 are in talks to resolve a decade-long dispute about the delivery of water service in the city's southern growth area. The talks come on the heels of a summary judgment favoring Eudora that was issued Sept. 29 in Federal District Court in Kansas City, Kan. In making the ruling, Judge Julie Robinson said the city could go forward with its effort to secure the right to provide water service within its city limits that is part of RWD No. 4 and that the water district has no protection through a federally guaranteed loan it secured in 2004 to deny the transition" ([more](#)).

**NYRWA Winner of New York Dept. of Environmental Conservation's 2016 Environmental Excellence Award:** NY Rural Water was selected for *"outstanding leadership in adopting innovative solutions to protect our environment and enhance our economy and for improving and protecting the health of New York's waters and communities by providing unique and critical services, technical assistance, and training to small, rural communities with populations under 10,000 to help improve and protect water and wastewater facilities. NYRWA's leak detection program has helped communities save nearly seven million gallons of water each year. Energy efficiency programs are resulting in a cost savings of more than \$200,000 to residents."*

**Explosion at Kansas Aerosol Plant Threatens Local Drinking Water Supplies:** Kansas Emergency Management to evacuate parts of Neodesha after a November 22 aerosol plant explosion that prompted a Stage 3 water emergency and potential chemical contamination ([more](#)).

**EPA Disapproval of Water Standards Not Reviewable:** On Nov. 21, the U.S. District Court for the District of Maine upheld the EPA's motion to dismiss the lawsuit the state filed in September, 2015 over the EPA's disapproval of some of its water quality standards. Federal disapproval of a state's water quality standards cannot be challenged in court, according

to an opinion issued by a federal court ([Maine v. McCarthy, 11/18/16](#)).

**Trump's Opposition to Waters of the U.S. Rule Prompts Questions over Fate of Lawsuit:** President-elect Donald Trump's opposition to EPA's Clean Water Act (CWA) jurisdiction rule could result in EPA dropping its defense of the rule and environmentalists involved in the suit taking the lead in defending it. The new Trump Administration could ask the U.S. Court of Appeals for the 6th Circuit for a voluntary remand of the regulation. However, the Obama administration could file an opinion to support the rule in the 6th Circuit case scheduled for Jan. 18. This would complicate matters coming just two days before Trump's inauguration. Another option could be a 6th Circuit ruling against EPA and then the Trump Administration could decide to pull the rule and refuse to defend it in the Supreme Court. During the campaign, Trump stated that he would abolish the WOTUS rule, calling it among “our most intrusive regulations.”

**More EPA Regulation of Farms in Iowa, Minnesota, Wisconsin, Illinois, Missouri, Kentucky, Tennessee, Arkansas, Mississippi and Louisiana to Save the Gulf of Mexico:** After nearly 20 years of inaction, EPA should push Iowa and nine other states along the Mississippi River to cut nitrogen and phosphorus pollution that contributes to the Gulf of Mexico's dead zone ([more](#)).