The Legislative Issues
The Outcomes

• 25 freshmen legislators elected to the Indiana House (20 Rs and 5 Ds) and 4 to the Senate (19 Rs in 2010 – all in the House)

• Senate: Republicans maintain quorum-proof majority

• House: Republicans secure quorum-proof majority

• Mike Pence elected Governor, but by closer margin than anticipated
The Outcomes

• Dr. Tony Bennett, Superintendent of Public Instruction, defeated – but education reform legislators re-elected

• Joe Donnelly wins Lugar’s U.S. Senate seat

• President Obama re-elected
2013 General Assembly

- Start – January 7, 2013
- End – Before May 1, 2013
- 50 Senators – Republican “Super” Majority (37/13 R/D)
- 100 Reps – 69/31 R/D; 44 < 2 years in 2013; House Republican Caucus with 39/61 ≤ 2 years
What to Expect

Long session
... must pass two-year state budget

New governor
... how bold will Pence be?

Record number of new legislators
... what will be their impact?
Environmental Quality Service Council
2012 Recommendations

- Environmental Rules Board Full-Time Independent Staff
- Prohibit Solid Waste Management Districts from permitting motor vehicles
- Brownfields: Increase Funding; Promote Using Historical Insurance Policies
Possible 2013 E&E Issues

- Consolidated water agency – put all “water” related regulatory issues in one state agency

- IDEM “fix” items; environmental crimes – IDEM’s perennial items to be “fixed”

- CAFO issues – 2300 CAFO’s in Indiana – always an issue
Cont. 2013 E&E Issues

• **Water Policy**  -- Support SB 132-12

• **“No More Stringent Than”**  -- federal/state rules – A favorite of Rep. Wolkins, House Environmental Chair

• **Ballast water/invasive species**
  • Another perennial
Cont. 2013 E&E Issues

• **Dedicated funds** consolidation;
  • 12+ funds/centers = $120M;
  • $77M in ELF;
  • Recycling Fund;
  • Waste Tire Fund

• Fund independent **staff for the ERB** ($350k)

• **Bottle Bill/Fees** – promote recycling/reduce litter
Cont. 2013 E&E Issues

- **CNG** – road tax if vehicle fuel; incentives for CNG vehicle purchase and installation of refueling stations
Obama Agenda

- Criteria and Standards for **Cooling Water Intake Structures**
- **Greenhouse Gas** New Source Performance Standard for Electric Generating Units for New Sources
- National Emission Standards for **Hazardous Air Pollutants** for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters; Reconsideration
- Review of the National Ambient Air Quality Standards for **Particulate Matter**
Possible Timeline for Environmental Regulatory Requirements for the Utility Industry

- **Ozone (O₃)**
  - Revised Ozone NAAQS
  - Ocean CAIR Phase I Seasonal NOx Cap
  - CAIR Vacated
  - NOx Primary NAAQS
  - CAIR Remanded

- **SOx/NOx**
  - Transport Rule proposal issued (CAIR Replacement)
  - SOx/NOx Secondary NAAQS
  - CO₂ Regulation (PSD/BACT)
  - 316(b) final rule expected
  - Effluent Guidelines final rule expected

- **CAIR/Transport**
  - Final Transport Rule Expected (CAIR Replacement)
  - Effluent Guidelines Compliance 3-4 yrs after final rule

- **Water**
  - PM Transport Rule
  - 316(b) Compliance 3-5 yrs after final rule

- **PM/PM2.5**
  - Next PM-2.5 NAAQS Revision
  - Final Rule for CCBs Mgmt
  - Transport Rule Phase II Reductions
  - HAPs MACT Compliance 3 yrs after final rule

- **Ash**
  - HAPs MACT Phase I Reductions

- **Hg/HAPS**

- **CO₂**

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*Adapted from Wegman (EPA 2003) Updated 09.02.10*
“WHISKEY’S FOR DRINKING AND WATER’S FOR FIGHTING”
(Mark Twain upon returning from California)
Water and Electricity Are The Backbone Of ANY Economy

NO Water OR Electricity = NO Economy
Global Water Footprint (use) ≈ 1,970,000 Bgal/yr
≈ 330,000 gal/yr/person
Indiana Water Facts

• We presently have no plan for our “water future”.
• Water “challenges” from Central Indiana to the Ohio River.
• We need to identify 1) where is the water 2) who needs the water 3) how to get the water to where it is needed.
• There is a need for strong leadership in this area.
• A clear and concise plan needs to be developed outside of a crisis-initiated scenario.
• The current thinking seems to be to sustain the parochial or territorial small systems.
Figure 3.—Cumulative departure from mean monthly precipitation for climatic division B, water years 1921–89 (data from National Oceanic and Atmospheric Administration, Climatic Data Center).
Real Purpose of Great Lakes Compact

Section 4.8. All new or increased diversions are prohibited except as provided for in the compact.

Section 4.9. Exceptions to the prohibition for straddling communities, straddling counties and intra-basin transfers.
# Great Lakes Context

## Hydrology

- **1 mi³ = 1.1 trillion gallons, GL Total = 5439 mi³ = 5.9 quadrillion gallons.**

## Lake Characteristics

<table>
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<tr>
<th>Lake</th>
<th>Superior</th>
<th>Michigan</th>
<th>Huron</th>
<th>Erie</th>
<th>Ontario</th>
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<tbody>
<tr>
<td>Elevation</td>
<td>600 ft</td>
<td>577</td>
<td>577</td>
<td>569</td>
<td>243</td>
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<tr>
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<td>350 mi</td>
<td>307</td>
<td>206</td>
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<td>Ave. Depth</td>
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<td>Max. Depth</td>
<td>1,332 ft</td>
<td>925</td>
<td>750</td>
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<tr>
<td>Volume</td>
<td>2,900 mi³</td>
<td>1,180</td>
<td>850</td>
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<tr>
<td>Surface Area</td>
<td>31,700 mi²</td>
<td>22,300</td>
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<td>Drainage Area</td>
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<td>51,700</td>
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<td>Shoreline Area</td>
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<td>Retention</td>
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<td>99</td>
<td>22</td>
<td>2.6</td>
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Large demand, marginal supplies

Growing demand, vulnerable supplies
Transportation Infrastructure
GOOD NEWS!

– We can invent our energy and water future.
– We do have the energy and water resources.
– But – we must take charge NOW and make smart decisions.
– SB 132 (water) and prudent energy decisions.
OUR ENVIRONMENT
OUR RESPONSIBILITY