



**Legislative Committee Chair  
Report to the Board of Directors**

**July 12, 2018**

**Submitted by: Kerry Daily**

**Legislation:**

The legislative session ended on March 14, 2018 and the one-day special session was held on May 14, 2018. Committee assignments and subjects for consideration by Interim Study Committees have been issued but no meetings have yet been scheduled.

The Listening Session regarding issues brought forth during the debate on House Bill 1096 will be held next Tuesday July 17, 2018 in Goshen.

**Indiana CGP:**

On June 12, 2018 IDEM provided to the Advisory Group the final version of the draft Indiana CGP. This final draft was not for review but will be the draft used for future rule-making by IDEM. This draft has been accepted by USEPA.

**WOTUS:**

USEPA and USACE recently issued a supplemental notice of proposed rulemaking to clarify that the agencies are proposing to **permanently** repeal the 2015 Rule in its entirety. The notice also reiterates that the agencies are proposing to recodify the pre-2015 regulations. The public comment period for this supplemental notice will close on August 13, 2018.

USEPA and USACE plan to propose a new WOTUS definition that would replace the approach in the 2015 Rule and the pre-2015 regulations, taking into consideration the principles that Justice Scalia outlined in the *Rapanos* plurality opinion. USEPA and USACE held public meetings in Fall 2017 to hear from stakeholders their recommendations to revise the definition of WOTUS and established an administrative docket to solicit recommendations for the new definition and rule. In Spring 2017 the agencies initiated formal consultations to solicit comments from state, local, and tribal governments regarding such a new definition. The agencies held a series of meetings with various groups as part of the consultation processes and are now posting for public review each of the letters received as part of the consultation processes.

=> => => For probably the next two years, rules and requirements will stay the way they are and the way they have been for the last several years.