District of Columbia Water and Sewer Authority

Board of Directors

Governance Committee

October 14, 2026 / 9:30 am

Microsoft Teams meeting
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Meeting ID: 266 696 905 515 626 Passcode: aQ6mH9Ds

Call in (audio only) 202-753-6714, 368002144#
one Conference ID: 368 002 144#

1. **Call to Order** _____Howard Gibbs, Chairperson
2. **Roll Call** _____ Debra Mathis, Acting Board Secretary
3. **FY 2026 DC Water Works Annual Report** _____Korey Gray, Vice President and Chief Procurement Officer
4. **Government Affairs Update** _____Barbara Mitchell, Director and Associate General Counsel
5. **Executive Session*** _____Howard Gibbs
   - To obtain legal advice and preserve attorney-client privilege or settlement terms under D.C. Official Code § 2-575(b)(4)(A).
6. **Adjournment** _____Howard Gibbs

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

1The DC Water Board of Directors may go into executive session at this meeting pursuant to the District of Columbia Open Meetings Act of 2010, if such action is approved by a majority vote of the Board members who constitute a quorum to discuss certain matters, including but not limited to: matters prohibited from public disclosure pursuant to a court order or law under D.C. Official Code § 2-575(b)(1); terms for negotiating a contract, including an employment contract, under D.C. Official Code § 2-575(b)(2); obtain legal advice and preserve attorney-client privilege or settlement terms under D.C. Official Code § 2-575(b)(4)(A); collective bargaining negotiations under D.C. Official Code § 2-575(b)(5); facility security matters under D.C. Official Code § 2-575(b)(8); disciplinary matters under D.C. Official Code § 2-575(b)(9); personnel matters under D.C. Official Code § 2-575(b)(10); third-party proprietary matters under D.C. Official Code § 2-575(b)(11); train and develop Board members and staff under D.C. Official Codes § 2- 575(b)(12); adjudication action under D.C. Official Code § 2-575(b)(13); civil or criminal matters or violations of laws or regulations where disclosure to the public may harm the investigation under D.C. Official Code § 2-575(b)(14); and other matters provided under the Act.

FY 2026 DC Water Works Annual Report

Presented to the Governance Committee

Howard Gibbs, Chairperson

October 14, 2026

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FY '26 DC WATER WORKS ANNUAL REPORT

DC Water Works



Program Overview

In 2016, DC Water established its Water Works Program designed to empower local and District residents to establish a meaningful employment on DC Water construction and service projects.

Program Elements

- New Hire Goals: Seventy-Five percent (75%) of new jobs created by contracts or procurements entered into by DC Water with contractors will be filled by local residents.
- Job/Candidate Referral Process
- Job Readiness and Skills Training Program
- Community Outreach

DC Water Works

Program Overview

Wrap Around Support
Supported by the District Department of Employment Services (DOES)



CASE MANAGEMENT



COUNSELING
(INDIVIDUAL & FAMILY)



MENTORSHIP



TRANSPORTATION
SUPPORT



EDUCATION & SPECIAL
SERVICES



CHILDCARE SUPPORT

DC Water Works

DC Water Works New Hire Goal: 75%

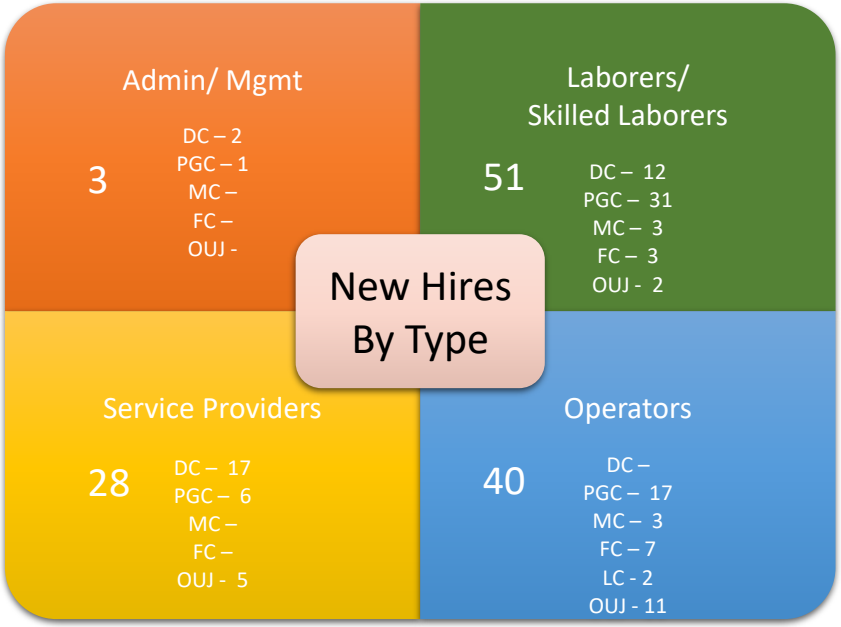
📈 **Actual Performance: 85.2%** of positions filled by User Jurisdiction residents—exceeding the target by 10 percentage points.

👥 Workforce Breakdown

- **Total Positions Filled: 122** total new hires
- **User Jurisdiction Residents Hired: 104** (85.2% of total hires)
  - **District of Columbia (DC) Residents: 31** (25.4% of total hires)
- **Outside User Jurisdiction Hired: 18** (14.8% of total hires).

🤝 Contractor Engagement

- **Active Partners: 33** hiring contractors engaged in the program.



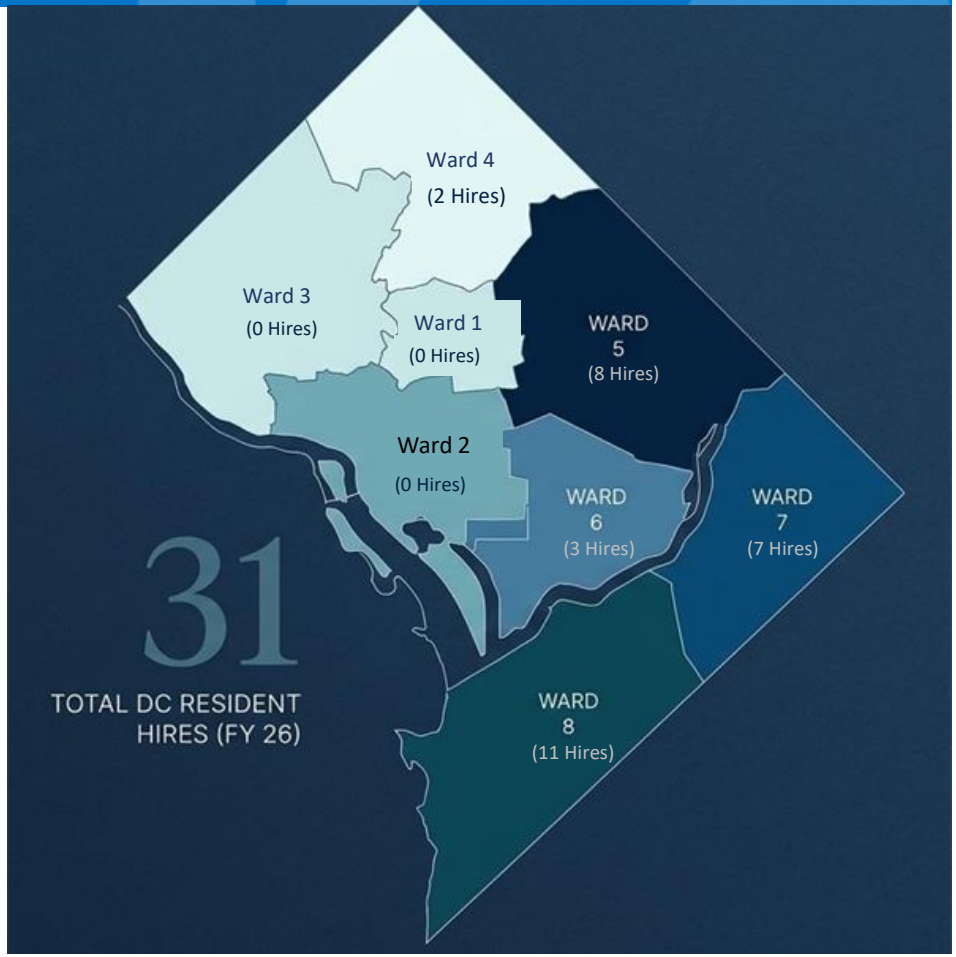
FY '26 DC WATER WORKS ANNUAL REPORT

DC Water Works

DC Resident Hires by Ward
Total DC Resident Hires: 31

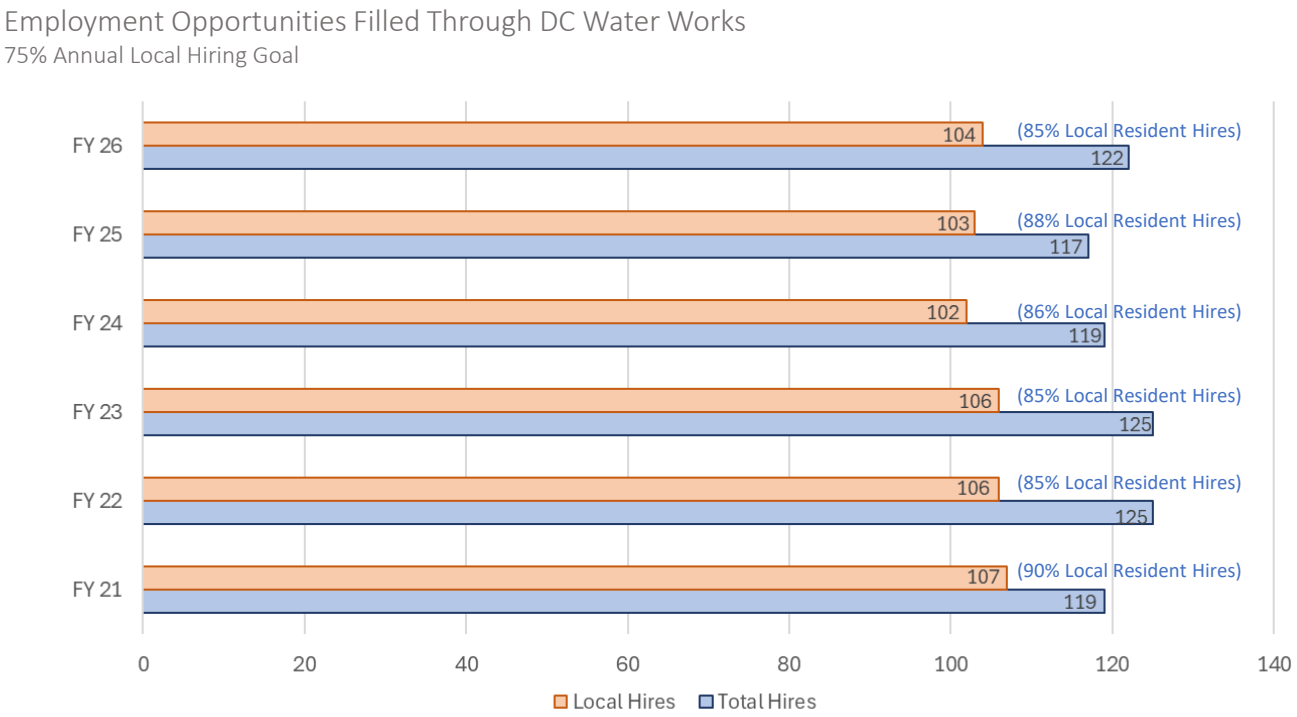
Sourcing Breakdown by Ward

- **Ward 8 (Anacostia / Congress Heights): 11 Hires** (35.5% of DC total) — *The primary talent hub for this fiscal year.*
- **Ward 5 (Brookland / Ivy City): 8 Hires** (25.8% of DC total)
- **Ward 7 (Deanwood / Marshall Heights): 7 Hires** (22.6% of DC total)
- **Ward 6 (Capitol Hill / Navy Yard): 3 Hires** (9.7% of DC total)
- **Ward 4 (Brightwood / Petworth): 2 Hires** (6.5% of DC total)



FY '26 D ORK REPO

DC Water Works





DC Water Works

Strategic Partner Referrals

DC Water Works maintains a set of Strategic Partners consisting of: Government agencies, community-based organizations, private contractors and union-affiliated groups that act as referral partners for contractor employment and training opportunities.

In FY 26, the Strategic Partners contributed to the placement of 15 individuals on DC Water projects or training programs.

Partner	Number of Placements	Placement Type
Project Empowerment (DOES)	12	Service Positions (LFDC Community Activators)
Idea Public Charter School	1	Service Position (Pre-Apprentice)
13th Man Leadership Academy	2	Laborer Positions



DC Water Works

Overview of DC Water Works Skills Training and Placement Programs



DC WATER APPRENTICESHIP PROGRAM

In 2018, DC Water established an Apprenticeship Program designed to empower District of Columbia and local residents to establish a long-term career with DC Water. By creating new employment pipelines, we are helping the economy of the local community to grow organically and nurturing a ratepayer first mindset.

Key Components of a Registered Apprenticeship Program


DC Water Involvement


Structured On-the-job Learning


Related Training And Instruction


Rewards for Skill Gains


National Credential

DC WATER APPRENTICESHIP PROGRAM

The Cohorts:

- **Cohort I (2018):** 6 apprentices specialized across HVAC, Plumbing, Sewer Services, and Wastewater.
- **Cohort II (2022):** 10 apprentices spanning Buildings & Grounds, HVAC, Maintenance Mechanic, Sewer Services, Pumping Operations, and Painting.

🏆 **FY 2026 Milestone**

➢ **Direct Pipeline Conversion:** One apprentice successfully completed the program this fiscal year and has officially transitioned into a permanent role as a certified Maintenance Mechanic with DC Water.

🎯 **Program Accountability: 90% Graduation Goal | 90% Placement Goal**

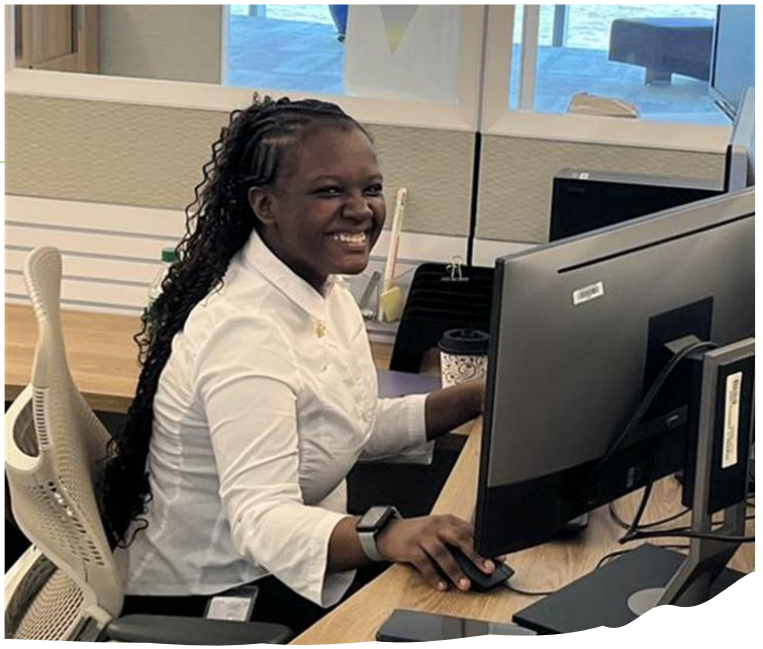
➢ Achievement: Out of the 11 graduates to date, all 11 have transitioned into permanent, full-time DC Water roles.



"[The apprenticeship] has helped me be a leader, because you're setting an example. You have to be dependable and show that you can support others and be professional at all times."

-Leading by Example: DC Water's Dominique Collins, PO https://immerse.gowpi.org/2026/05/leading-by-example-dc-waters-dominique-collins-po/





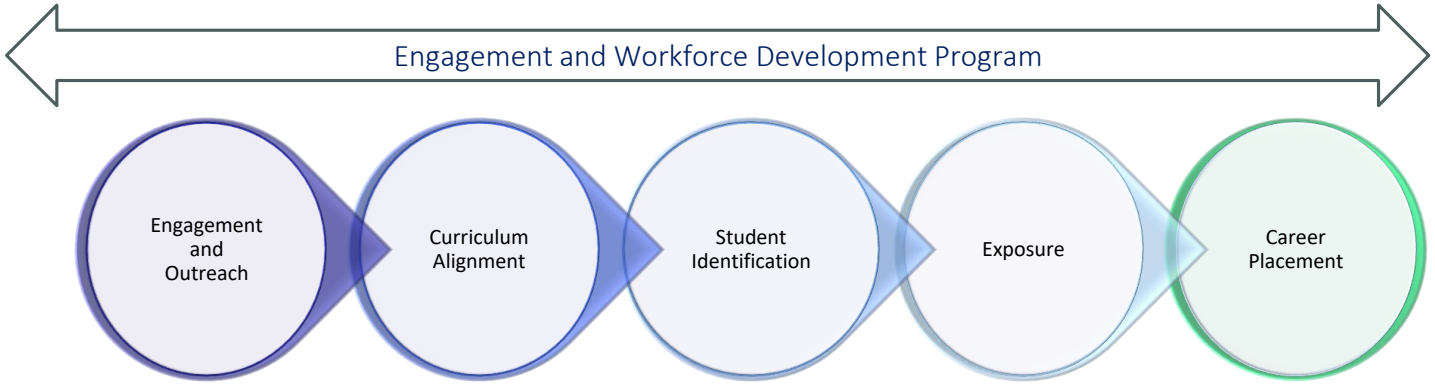
DC Water High School Engagement and Workforce Development Program

DC Water Works

DC Water High School Engagement and Workforce Development Program

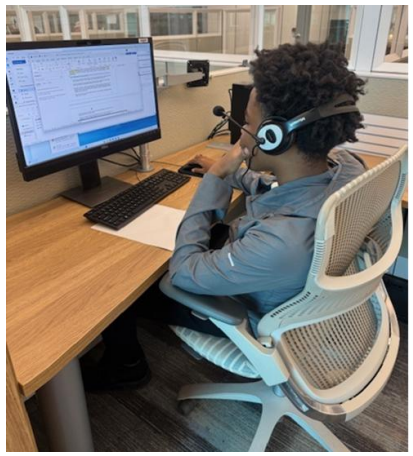
Purpose:

- To implement a standardized program to engage and work with high school students beginning at the 9th grade level as they prepare for careers in the utility sector. Included are internship and pre-apprenticeship opportunities to provide students with professional skill building, and career exploration opportunities to help them plan for after graduation.



FY '26 D ORK REPO

DC Water Works







📈 Program Expansion & Status

•**Sustained Scaling:** Launched in June 2025 with just 1 participant; successfully **expanded to 5 active students in FY 26** across Human Capital Management, People & Talent, and Sewer Services.

•**Cohort 2 Current Breakdown:**

- **2 Pre-Apprentices (Graduates):** Both are recent graduates of **Idea Public Charter School**, currently retained and earning **$20.00 per hour**.
- **3 High School Interns (Juniors):** Completed an operational term from June to August 2026 earning **$18.40 per hour**. Eligible to return to the pipeline in Spring 2026.

FY '26 D ORK REPO

DC Water Lead Free DC Activators Program



LFDC Activators Cohort III - February 2026

DC Water Lead Free DC Activators Program

In 2023, DC Water launched the Lead-Free DC Community Activators Program to connect District residents with training and employment opportunities tied to Lead-Free DC (LFDC).

The program partners with the District Department of Employment Services (DOES) to provide on-the-job training in community engagement.

Key Aspects of the Program:

- **Workforce Training**: Participants receive training in community outreach, digital canvassing, customer service, and knowledge about lead service replacement.
- **Community Outreach**: Activators conduct door-to-door visits to inform residents about lead risks and help them check their service line materials.
- **Support for Lead Free DC**: The program supports the larger goal of replacing all lead pipes in DC
- **Career Pathway**: The program includes two goals:
  - 75% Graduation Rate for the Activators
  - 80% Placement of the Graduates with the Lead Free DC contractors.
- All participants are District residents and receive paid, on-the-job training through the Department of Employment Services (DOES)



DC Water Lead Free DC Activators Program



Program Cohorts to Date:

- Cohort I
  - Began in May 2023 and concluded in May 2024
  - Seventeen (17) Enrollees
    - Fourteen (14) Graduated (82%)
    - Fourteen (14) Employed (100% of Graduates)

- Cohort II
  - Began in August 2024 and concluded in August 2025
  - Twelve (12) Enrollees
    - Eleven (11) Graduated (92%)
    - Eleven (11) participants Employed (100% of Graduates)

- Cohort III
  - Began in February 2026, planned completion is February 2027
  - Twelve (12) Enrollees
    - 8 still active

In 2026, DC Water established a partnership with the 13th Man Leadership Academy. The 13th Man Leadership Academy is a 9-month professional development preparatory program that incorporates personal, professional, and leadership skill development focused on preparing young men for their career journey.

Students learn life-transformational skills, tools to navigate their early careers, and how to build their circle of influence. Each student that matriculates in the Leadership Academy receives a corporate summer internship. The Program provides highly structured, professional preparation that bridges the gap between intense personal development and immediate, hands-on infrastructure careers.

Regional Pipeline Development. Forge ties with neighboring jurisdictions to build tactical, hands-on field operational capacity.

The 13th Man Leadership Academy



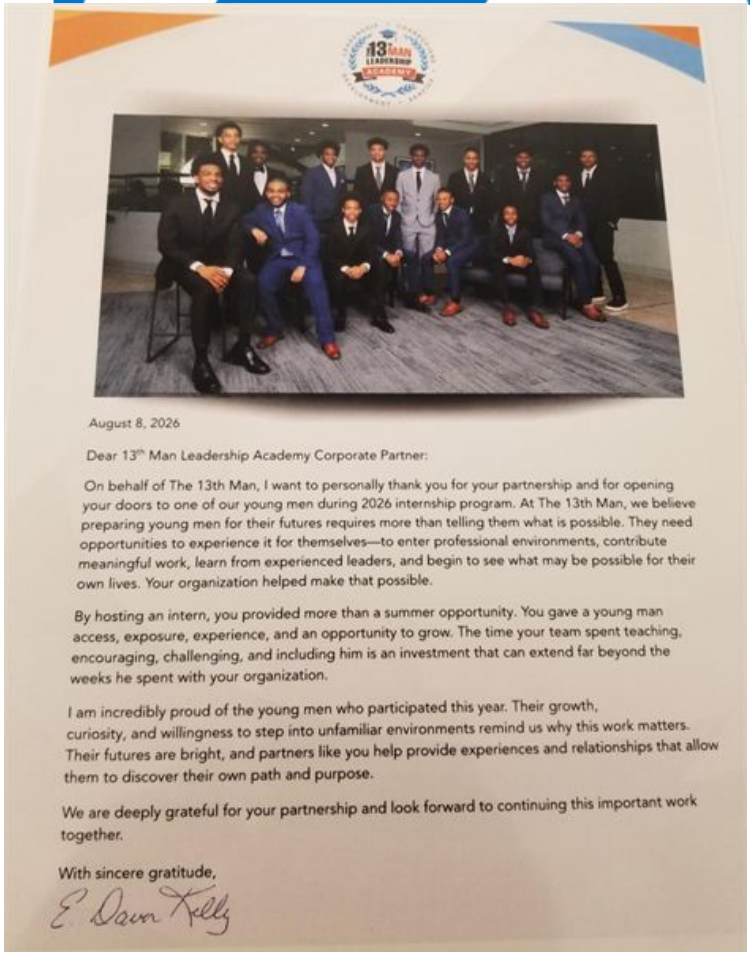
FY '26 D ORK REPO

📈 Program Overview & Structure

•**The Partnership:** Strategic collaboration with the 13th Man Leadership Academy to capture motivated regional youth talent and introduce them to critical water infrastructure disciplines.

•**Targeted Regional Sourcing:** Hosted two (2) Prince George's County residents during the fiscal year.

•**Core Placement:** Embedded the participants with the Sewer Services department.



August 8, 2026

Dear 13th Man Leadership Academy Corporate Partner:

On behalf of The 13th Man, I want to personally thank you for your partnership and for opening your doors to one of our young men during 2026 internship program. At The 13th Man, we believe preparing young men for their futures requires more than telling them what is possible. They need opportunities to experience it for themselves—to enter professional environments, contribute meaningful work, learn from experienced leaders, and begin to see what may be possible for their own lives. Your organization helped make that possible.

By hosting an intern, you provided more than a summer opportunity. You gave a young man access, exposure, experience, and an opportunity to grow. The time your team spent teaching, encouraging, challenging, and including him is an investment that can extend far beyond the weeks he spent with your organization.

I am incredibly proud of the young men who participated this year. Their growth, curiosity, and willingness to step into unfamiliar environments remind us why this work matters. Their futures are bright, and partners like you help provide experiences and relationships that allow them to discover their own path and purpose.

We are deeply grateful for your partnership and look forward to continuing this important work together.

With sincere gratitude,

E Dawn Kelly



DC Pathways to Public Service Program

The DC Department of Employment Services (DOES) Pathways to Public Service Program is a 12-month public service apprenticeship initiative designed to connect recent college graduates with career opportunities, professional mentorship, and direct hiring pathways across District government agencies.

Program Overview

- **Core Purpose:** Strengthens the talent pipeline from local and regional universities into full-time employment.

FY '26 Achievement

- **Immediate Permanent FTE Placement.** This program successfully achieved its benchmark. The participant has officially transitioned into a permanent, Full-Time Employee (FTE) with DC Water as a Contract Compliance Specialist as of September 2026.

DOES College Fellowship Program

The DC Department of Employment Services (DOES) College Fellowship Program is a six-month paid professional development initiative designed to help recent college graduates transition into in-demand careers in the public or private sectors

Program Overview

- **Core Purpose:** Connects recent graduates with paid work placements at local organizations, combining employment with wrap-around support like professional mentorship, leadership training, and industry-recognized certifications.

- **Pay & Hours:** Fellows typically work 25 to 30 hours per week and earn $25.00 per hour.

FY '26 Activity

- DC Water is hosting its first fellow in the Finance Department



Activities and Recognitions

March 2026
- DC Water participated in the "Women in Technology" Spring 2026 Job Fair (March 19, 2026)

April 2026
- DC Water hosted the DOES Youth Apprenticeship Program's Graduation (April 30, 2026)

May 2026 (Infrastructure Week)
- DC Water Recognized as an "Outstanding Partner" with the DC Infrastructure Academy

June 2026
- AWWA ACE26 Apprentice Honor**:** DC Water apprentice Dominique Collins, delivered the national keynote address at the "Water Professionals International Pinning" Ceremony

July 2026
- DC Water participated in the Ward 8 Workforce Development Town Hall (July 13, 2026)

August 2026
- DC Water presented at the EPA 8th National Capacity Development and Operator Certification Workshop. The topic presented was "Overcoming Recruitment and Retention Barriers" (August 5, 2026)

- DC Water participated in the EPA Roundtable. The Roundtable topic was "Workforce Recruitment and Retention" (August 6, 2026)

- DC Water recognized as an "Outstanding Partner" with the 13th Man Leadership Academy

September 2026
- University of the District of Columbia Career Expo

FY '26 [illegible] UPDA[illegible]

DC Water Works



Plans for FY '27

- **Expand Training Infrastructure**
  - Maximize classroom training for apprentices and DC Water Works participants by leveraging the newly opened DC Infrastructure Academy (DCIA) Spingarn campus.
  - Deploy targeted skills programs aligned with critical capital projects (e.g., *Lead Free DC*, Transmission Mains, Small Diameter).

- **Grow Regional Talent Pipelines**
  - Broaden our regional footprint by building alliances with local strategic partners across DC, Maryland, and Virginia.
  - Amplify direct outreach through structural workforce partnerships, routine contractor alignment meetings, and targeted recruitment events.

- **Maximize On-the-Job Opportunities**
  - Leverage DC Water capital projects to increase apprenticeship opportunities for local residents.

- **Strengthen Contractor Accountability**
  - Implement rigorous data tracking to monitor contractor hiring activity and address underperformance against local hiring goals.

- **Digital & Tech Upskilling**
  - Integrate digital literacy and smart-infrastructure technical modules into the apprentice curriculum to prepare local hires for data-driven utility environments.


Thank You

Governance Committee Meeting

Government Affairs Update

October 14, 2026

09:30 AM – 11:00 AM

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Presentation Overview

- **District Engagement**
  - Public Inconvenience Fee Sunset Amendment Act of 2026
  - Strengthening Air Pollution Permitting Amendment Act of 2026
  - Office of Human Rights Rulemaking Authority Amendment Act of 2026
  - Tax Sale Equity Amendment Act of 2026
  - Automatic Enrollment for Utility Affordability Programs Act of 2025
- **Regional Engagement**
  - Maryland
  - Virginia
- **Federal Engagement**
  - Congressional Committee Correspondence
  - Executive Order on Stormwater Fees
  - WRDA
  - Permitting Reform – Bipartisan American Affordability and Jobs Act of 2026

District Engagement

Public Inconvenience Fees (PIF) & Stormwater Fees

District Fee Update: PIF & Stormwater

- Both took effect on October 1, 2026

Public Inconvenience Fee (PIF)

- **60-day grace period preserved:** Up from 30 days. DC Water incurs PIF only on projects extending beyond the grace period.
- **Increased rates sunset for DC Water on Oct 1, 2030 (FY31):** Councilmember Allen's amendment was adopted. The fee remains, but higher rates won't extend beyond the current four-year financial plan.
- **B26-0805 (PIF Sunset Amendment Act of 2026):** Introduced by CM Trayon White. It would require DC Water to itemize PIF pass-through costs and stop recovering increased PIF amounts starting Oct 1, 2030.
- **Next step:** Government Affairs is scheduling a meeting with CM Trayon White on the B26-0805 and how it relates to the FY27 budget sunset.

Stormwater Fee

- Rises from $2.67 to $4.03 per ERU per month (+$1.36), the first increase in about 16 years, to restore DOEE program funding and support EPA MS4 compliance.

DC Water Engagement: Government Affairs has drafted a letter to the Council addressing DC Water's position on the Public Inconvenience Fee.

B26-0565 - Strengthening Air Pollution Permitting Amendment Act of 2026

- **Bill Overview:** Strengthens air pollution permitting and enforcement by closing regulatory gaps, increasing civil penalties, improving complaint response timelines, and expanding environmental remediation funding through the Air Quality Construction Permits Fund.
- **Impact to DC Water:** Potential implications for the Blue Plains Advanced Wastewater Treatment Plant and district-wide wastewater operations, particularly related to permitting requirements, odor controls, and continuous 24/7 operations.
- **Constructive Progress:** The T&E Committee does not plan to move the air quality bill forward. However, even if that were to change, Government Affair has been informed by Councilmember Parker's office that DC Water would receive an exemption per the Committee.



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B26-0570 - Office of Human Rights Rulemaking Authority Amendment Act of 2026

- **Bill Overview:** Amends the Language Access Act of 2004 to include enforcement and relief provisions for violations, establish strict liability for covered entities that fail to comply with language access requirements, and authorize the Office of Human Rights to adopt implementing rules and regulations.
- **Impact to DC Water:** As an entity with extensive public contact, DC Water may be considered a "covered entity" subject to strict liability under the bill. Key concerns include potential statutory damages paid directly to complainants without proof of actual harm, and the bill's explicit provision that lack of funding or staffing shall not constitute a defense to liability.
- **DC Water Engagement (August 26, 2026):** Government Affairs connected with Endra Curry (OCFO) who is developing the fiscal impact statement for the legislation. DC Water provided feedback on potential cost implications and operational concerns related to language access compliance.
- **DC Water Submission (September 30, 2026):** Government Affairs submitted a document to OCFO outlining DC Water's potential questions related to B26-570, which was forwarded to Committee staff.
- **Advocacy Priorities:** To address the strict liability and statutory damages concerns noted above, Government Affairs is working with the District's Assistant City Administrator to support compliance while pursuing four key changes to the bill:
  - Remove the private right of action.
  - Add a mechanism to prevent unreasonably litigious claims.
  - Establish a process for DC Water to challenge a claim.
  - Ensure fines are reasonable.
- **Status Update:** The bill is scheduled for markup in November 2026. Committee staff has not yet provided an updated draft. Government Affairs is meeting with Councilmember Nadeau's staff to discuss DC Water's concerns before markup and will review any revised text as soon as it is released.

B26-0771 - Tax Sale Equity Amendment Act of 2026

- **Bill Overview:** Modernizes the District's tax sale process and enhances equity protections for property owners by establishing a trustee-sale mechanism to return surplus equity to former owners following tax foreclosure, updating attorney fee caps with cost-of-living adjustments, and clarifying procedural requirements for foreclosure actions. Sponsored by Chairman Mendelson.
- **Impact to DC Water:** Limited impact expected. The bill makes no changes to the lien certification process for outside agencies such as DC Water. The main change is that a court-appointed trustee would sell the property on the open market, instead of the deed going to the tax sale purchaser upon payment. Taxes and certified liens, including DC Water's, would be paid at closing. DC Water may have to wait somewhat longer for payment when a trustee sale is involved.
- **Public Hearing (September 23, 2026):** The Committee of the Whole held a public hearing chaired by Chairman Mendelson. Testimony was received from consumer advocates, tax sale investors, title insurance representatives, and government witnesses from OTR and OAG. Notably, there was no mention of utilities or DC Water during the hearing.
- **DC Water Engagement (October 1, 2026):** Legal Affairs contacted DC OAG's Tax Litigation Section to confirm whether the bill affects DC Water's ability to collect on converted liens. OAG confirmed it does not anticipate any changes that would affect DC Water or other outside agencies collecting through tax sale.
- **Status Update:** The bill is in the Committee of the Whole and subject to markup, so the final version may differ from the introduced bill. Government Affairs and Legal Affairs will continue to monitor the legislation and will reassess if markup changes affect lien priority or payment timing.

B26-0243 - Automatic Enrollment for Utility Affordability Programs Act of 2025

- **Bill Overview:** Introduced by Councilmember Allen. Fewer than half of eligible households are enrolled in the District's utility affordability programs. The bill directs DOEE to automatically enroll households already eligible through SNAP, TANF, WIC, Medicaid, or the Alliance, using data from DHS, DC Health, and DHCF. Personal information is protected, and households are notified of their enrollment and how to withdraw.
- **Impact to DC Water:** The CRIAC Residential Relief Program is one of the covered programs, so eligible DC Water customers would receive CRIAC relief without applying. Eligibility is renewed annually.
- **Council Discussion:** CM Frumin supports the bill but asked how it would affect other ratepayers, and a fiscal answer is expected before second reading. CM Allen made three points in response:
  - Enrollment only reaches households already found eligible.
  - The fiscal impact statement shows low-income households are currently overcharged by a couple million dollars.
  - Lower arrears benefit all ratepayers, because utilities fold uncollected debt into rates.
  - CM Allen also said utility companies support the bill. CM Lewis George cited Pepco's August figures: 25,673 disconnection notices, up 218% in one month, and 840 households left without power.
- **Legislative History:** The bill was introduced May 6, 2025, and had a public hearing March 26, 2026, alongside B26-0443. It passed first reading after a waiver of Committee of the Whole review.
- **Status Update:** The bill awaits second reading. Government Affairs will monitor it, including the fiscal response on ratepayer impact.

Regional Engagement

Regional Engagement: Maryland (Montgomery & Prince George's Counties)

- **Potomac Interceptor Federal Earmark Positioning:** Coordinated project data submissions to Senator Van Hollen's office for Potomac Interceptor segments PI-02 and PI-03 to advance federal earmark advocacy.
- **Prince George's Board Seats & Governance:** Facilitated regional intergovernmental alignment to successfully fill vacant Prince George's County seats on the DC Water Board.
- **Staff Briefings & Facility Tours:** Initiating briefings and HQO/Blue Plains tours with Montgomery and Prince George's County Executive staff. Topics include B26-0443 (DC Disconnection Bill), each county's priorities for the year ahead, and opportunities for joint federal advocacy, including Community Development Block Grant funding. Government Affairs is scheduling the tour.
- **Montgomery County Executive Transition:** Tracking shifting regional political dynamics and utility stakeholder impacts across Maryland county leadership.

Regional Engagement: Virginia (Fairfax, Arlington, Loudoun & Alexandria)

- **PFAS & Biosolids Legislative Victory:** Secured a predictable regulatory pathway under VA HB 1443 / SB 386 and protected Bloom operational standards through direct coordination with Virginia legislators.
- **Alexandria Executive Outreach & Town Hall Collaboration:** Coordinated directly with Mayor Alyia Gaskins on Potomac Interceptor response matters. This culminated in DC Water hosting the March 19 Town Hall at the Lee Center, where Mayor Gaskins delivered the opening remarks.
- **Northern Virginia Executive Cadence:** Re-engaging Alexandria Mayor Gaskins, Fairfax County Executive Brian Hill, and Northern Virginia Coalition leadership to establish a consistent, senior-level briefing schedule on Washington Aqueduct transition strategies and regional water security priorities.
- **Staff Briefings & Facility Tours:** Scheduling staff-level briefings and HQO/Blue Plains facility tours with Fairfax County Executive staff. Topics include B26-0443, county priorities, and joint federal advocacy opportunities. Government Affairs is scheduling the tour.
- **Next Up:** Similar engagement with the Metropolitan Washington Council of Governments (MWCOG) and the Metropolitan Washington Airports Authority (MWAA).

Federal Engagement

Congressional Hearing & DC Water Follow-Up – Potomac Interceptor (May 20, 2026)

- **Questions for the Record Received (July 8, 2026):** The House Energy & Commerce Committee's Subcommittee on Oversight and Investigations formally transmitted Questions for the Record to DC Water.
- **QFR Response (July 22, 2026):** DC Water transmitted its formal written responses to the Subcommittee's Questions for the Record.
- **Congressional Concerns & Ongoing Correspondence:** Following the QFR exchange, Government Affairs corresponded with Congressional staff through September 2026 to finalize the inquiry.
- **Status Update:** Government Affairs is actively monitoring the Subcommittee's correspondence to ensure all inquires are finalized and addressed. At this time, DC Water has addressed all official inquiries related to QFR.



DC Water Community Project Funding Requests - WRDA & Appropriations

- **Bill Overview:** WRDA 2026 is a bipartisan federal infrastructure package advancing water supply resilience, Clean Water State Revolving Fund reauthorization, and regional water infrastructure investment, with provisions directly relevant to the Washington metropolitan area water supply.
- **Impact to DC Water:** Both the House and Senate included provisions tied to the Washington Aqueduct regional water supply study. The House authorizes a second study on backup water sources; the Senate modifies the existing WRDA 2022 study scope. Conference resolution will determine the direction of regional water supply planning.
- **DC Water Engagement:** Government Affairs engaged throughout the process alongside Congresswoman Norton's office, NACWA, AMWA, and MWCOG. Norton's office coordinated directly with the Army Corps of Engineers on the interpretation of both provisions. The meeting has been rescheduled to a later date.
- **Status Update:** WRDA passed the House in September 2026. The Senate EPW Committee advanced its version, reauthorizing the Clean Water State Revolving Fund at $3.5 billion annually for four years. House and Senate bills now head to conference. Regional stakeholders are on track to secure over $3.4 million in earmark funding.

Stormwater Fees Executive Order

- **Overview:** On September 16, 2026, President Trump issued Executive Order 14428, "Providing Meaningful Water Quality Improvements Through Collaboration and Oversight of Federal Support." The Order directs EPA to assess the financial burden of local stormwater fees, which it calls "rain taxes," and to explore ways to encourage their repeal.

- **What It Does Not Do:** The Order does not repeal any existing fees, permits, or Clean Water Act requirements.

- **Jurisdictions Affected:** The Chesapeake Bay watershed, which covers the District of Columbia, Maryland, Virginia, Delaware, Pennsylvania, New York, and West Virginia.

- **Impact to DC Water:** [e.g., whether EPA's review could extend to DC Water's Clean Rivers Impervious Area Charge (CRIAC), and how it interacts with the District's stormwater fee increase on slide 4]

- **Status Update:** Government Affairs will monitor EPA's assessment.

Permitting Reform: Bipartisan American Affordability and Jobs Act of 2026

- **Bill Overview:** Introduced September 30, 2026 by Senators Capito, Lee, Whitehouse, and Heinrich, the bipartisan leaders of the Senate EPW and ENR Committees. The package reforms NEPA, the Clean Water Act, the Endangered Species Act, the Federal Power Act, and the National Historic Preservation Act.

- **Impact to DC Water:** Title II (Clean Water Act) includes several bright spots for clean water utilities. The most notable is that NPDES permit terms would be extended from 5 to 10 years. That means fewer renewal cycles for Blue Plains and more certainty for long-term capital planning. Title I could also streamline federally funded work: NEPA review would no longer be required for federal loans, certain grant programs, or repairs of essential infrastructure.

- **Status Update:** The Senate is expected to take up the bill after the midterm elections. A cloture vote on the motion to proceed is scheduled for November 9, 2026. The House was involved in negotiating the text, so there is a high likelihood the bill gets over the finish line.

Title II (Clean Water Act): Section-by-Section

- **Sec. 1201 – Water Quality Criteria:** EPA would have to use formal rulemaking to develop water quality criteria, so utilities could comment before new criteria are written into permits.

- **Sec. 1202 – State Certification (Section 401):** State review would be limited to water quality issues. States would have 90 days to flag missing application materials and one year to decide, and certification would be waived if they miss the deadline. This would make certification faster and more predictable for federally permitted projects.

- **Sec. 1203 – NPDES Permit Term:** Permit terms would be extended from 5 to 10 years, which means fewer renewal cycles for Blue Plains.

- **Sec. 1204 – Dredged or Fill Permits (Section 404):** Nationwide permits would be extended from 5 to 10 years. EPA could veto a 404 permit only between a complete application and permit issuance, not after the permit is issued.

- **Sec. 1205 – Judicial Review:** Challenges to 404 permits would have to be filed within 150 days. Courts would generally send flawed permits back to the agency to fix rather than void them, which lowers the risk that a lawsuit stops a project already underway.


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From Government Affairs Team
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