

April 25, 2014

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Comment Period Opens for "Waters of the U.S." Proposed Rule

A proposed rule from the U.S. Environmental Protection Agency (EPA) and Army Corps of Engineers (Corps) to change the definition of federally-regulated waters under the Clean Water Act appeared in the Federal Register on April 21. Despite requests from Senators to extend the comment period, the proposed rule will be open for comments for a period of 90 days and will close on July 21. ICSC intends to join a multi-industry letter to request the comment period remain open for 180 days. The agencies are seeking comments on a variety of provisions within the proposed rule, including how to determine whether isolated wetlands, such as stormwater ditches and other small waters, are subject to Clean Water Act regulations. ICSC will submit comments on this and other provisions of the proposed rule. [Click here to view the full proposed rule.](#)

Amazon to Start Collecting Taxes in Florida

The state of Florida will begin to collect sales tax from Amazon beginning May 1. Currently, Floridians don't pay taxes on items bought on the Internet unless the company has a physical presence, such as a store or warehouse. Retailers in Florida have been urging state officials to change state law in order to help level the playing field for brick-and-mortar stores.

Congressman Cardenas Commends New Changes at Panorama Mall

During last week's Congressional recess period ICSC members in Southern California arranged a site visit for Representative Tony Cardenas (D-CA) to Panorama Mall, a Macerich property located in the congressman's Los Angeles-area district. During the site visit, he had the opportunity to see firsthand the positive new developments underway at the property. These new features included 1,154 rooftop solar panels that produce over 300kw of power - enough energy to power 42 homes for one year. ICSC members also led a discussion on outreach efforts to the region's sizeable Hispanic community, as well as future expansion plans for the mall. ICSC's government relations volunteers thanked the Congressman for his support of brick-and-mortar retail and pointed to the need for legislation to ensure a level playing field with Internet retailers through sales tax fairness. If you are interested in arranging a site visit at



From left to right: Jeff Bedell (Macerich), Congressman Tony Cardenas, José Legaspi (Legaspi Company) and Phil Carlson (Macerich).

your property, please contact Leslie Fox at lfox@icsc.org.

ICSC Congratulates Retail Members for Green Power Recognition

This week, U.S. Environmental Protection Agency (EPA)'s Green Power Partnership released an updated list of the Top 100 organizations that are choosing to use electricity from clean, renewable sources like wind and solar power. Among the Top 10 partners appearing on the Top 100 list are ICSC Members Kohl's Department Store, Whole Foods Market, Wal-Mart Stores, and Staples. The list is calculated based on annual green power usage (in kilowatt-hours) by Green Power Partners. Green power is a subset of renewable energy and represents the renewable energy resources and technologies that provide the highest environmental benefit.

GA: Governors Signs Tax-Free Holiday Bill

Governor Nathan Deal has signed HB 958, legislation that will extend the statewide back-to-school tax-free holiday and ENERGY STAR and WaterSense appliance tax-free holiday weekends for an additional two years. The bill is a direct result of the Governor's Competitiveness Initiative and is a continuation of the Georgia Jobs and Family Tax Reform Plan originally signed into law in 2012.

ICSC members in Georgia supported the tax-free holiday efforts during the 2014 legislative session.

"The sales tax holidays will allow Georgia's families to save money on those necessary items for school and on appliances that will help conserve Georgia's energy resources," Governor Deal said. "This tax reform package has made our state a better place to work and raise a family, and I will continue my commitment to maintaining our status as having one of the lowest per capita taxpayer burdens in the country."

MA: House Budget Released

The House of Representatives released its recommended budget for FY2015. Members filed more than 1,100 amendments to the bill. Among those of interest to ICSC are amendments establishing a sales tax holiday, providing funding for the Brownfields Redevelopment Tax Credit, and an amendment to prepare the Commonwealth for the passage of the Main Street Fairness Act by Congress.

Amendment 319, filed by Rep. Jay Kaufman, is titled "Readying Massachusetts for Main Street Fairness" and it directs the Commissioner of Revenue to prepare the State for the collection of sales tax for goods purchased online.

MA: Boston City Council to Hold Hearing on BERDO

The Boston City Council is holding a public hearing on Monday, April 28 at 9:00 a.m. on the recently enacted Building Energy Reporting and Disclosure Ordinance (BERDO). This Ordinance requires Boston's large- and medium-sized buildings to report their annual energy and water use to the City of Boston, after which the City makes the information publicly available. Additionally, every five years buildings need to complete an energy assessment or energy action; exemptions are provided for buildings that are already efficient or are making significant progress on energy efficiency.

Are You Involved in the Political Process? Let Us Know!

ICSC recently launched a survey to gauge the level of political engagement and relationships with elected officials that ICSC member have. If you have not done so yet, please take a moment to fill out our brief survey. It only takes about 5 minutes to complete and will make a tremendous difference in ICSC's ability to advocate at the state and federal levels on issues that are vital to the retail real estate industry. [Click here to begin the survey.](#)

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