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CLEAN WATER IS OUR FIRST AND LAST LINE OF DEFENSE  **WATER'S WORTH IT**

August 17, 2020

The Honorable John Barrasso
Chairman
Committee on Environment
& Public Works
U.S. Senate
Washington, D.C.

The Honorable Thomas R. Carper
Ranking Member
Committee on Environment
& Public Works
U.S. Senate
Washington, D.C.

The Honorable Peter DeFazio
Chairman
Committee on Transportation
& Infrastructure
U.S. House of Representatives
Washington, D.C.

The Honorable Sam Graves
Ranking Member
Committee on Transportation
& Infrastructure
U.S. House of Representatives
Washington, D.C.

RE: Stakeholder Comments on the Water Resources Development Act of 2020

Dear Chairmen and Ranking Members:

The Water Environment Federation (WEF) welcomes the opportunity to provide stakeholder comments for the conference negotiations for the Water Resources Development Act (WRDA) of 2020. WEF strongly encourages the final WRDA bill to include robust funding and strong policies to support the nation's clean water and stormwater infrastructure. WEF is the educational and technical association for over 35,000 water professionals working to maintain and improve water quality and public health in communities across the United States and around the world.

There is tremendous national need for increased funding and financing resources to help communities and utilities to assess, repair, replace, and maintain the aging drinking water, wastewater and stormwater infrastructure that protects public health and the environment, as well as is the bedrock for local economic growth. The importance of maintaining and improving aging water infrastructure is even further evident during the COVID-19 crisis as communities and utilities face funding shortfalls and the need for clean and reliable sanitation is vital in attempts to stay healthy in this pandemic. The final WRDA agreement should provide a significant boost in resources to help tackle our national infrastructure needs, as well as make significant headway towards future challenges, such as stormwater management, climate change resilience, and workforce shortages.

WEF previously provided stakeholder endorsement letters for S. 3591 and H.R. 1497 which detailed specific policy and funding recommendations for provisions in those bills¹, many of which are still relevant for the WRDA conference negotiations. Below are summaries of those recommendations that WEF urges the final WRDA agreement to include:

- Reauthorize the highest funding levels possible for Clean Water State Revolving Fund (CW SRF).
- Allow for increased percentage of CW SRF funds that can be converted to grants, additional subsidization, and other favorable loan terms, particularly to financially challenged communities to meet Clean Water Act obligations.
- Increased uses for CW SRF funds, such as planning, asset management, innovative technologies, and operations & maintenance.
- Increase the stormwater infrastructure set-aside through the CW SRF Green Project Reserve. (The 2018 Municipal Separate Storm Sewer System (MS4) Needs Assessment Survey produced by WEF estimated a stormwater infrastructure funding needs gap of \$7.5 billion annually to meet Clean Water Act compliance obligation.)
- Reauthorize and increase funding for the Sect. 221 — EPA Sewer Overflow and Stormwater Reuse Municipal Grants program.
- Inclusion of Section 2019, Stormwater Infrastructure Technology, from S. 3591 with the following changes:
 - *Expand Section 2018(a)(3) & (4) to include “nonprofit organizations”.*
 - *Provide 100% federal or at least 80% - 20% federal-nonfederal grant funding under Section 2018(c).*
 - *Provide 100% federal funding for the 15% set-aside for small, rural, and disadvantaged communities.*
 - *Add “and delivery” to Section 2018(c)(2)(A)(v).*
- Reauthorization and full funding of the Water Infrastructure Financing & Innovation Act (WIFIA).
- Inclusion of language granting authority to States to provide municipal agencies with the option to issue a National Pollution Discharge Elimination System (NPDES) permit with an expanded term of up to 10 years. Exclude conditions in the language that would restrict application of the extended permit terms based on factors beyond the permittee’s direct responsibilities under their NPDES permit.

¹ Copies of both letters can be found at:

https://www.wef.org/globalassets/assets-wef/5---advocacy/legislation-and-regulation/legislative-and-regulatory-affairs/wef-awia2020-comment-ltr-to-epw_apr.-28-2020.pdf

<https://www.wef.org/globalassets/assets-wef/5---advocacy/legislation-and-regulation/this-week-in-washington/wef-supports-hr-1497.pdf>

- Reauthorize and significantly increase funding for the EPA Water Infrastructure Workforce Development grant program, especially given the expanding water workforce shortage. Also include Sect. 12 of HR 1497, which authorizes State SRF programs to use up to 1% of federal capitalization grants towards grants for municipal water workforce development programs.
- Include Section 2021 from S. 3591 and expand funding assistance to include grant funding for stormwater runoff source control of plastics and micro-plastic. Plastic trash, debris, and micro-plastics in stormwater run-off has been identified as a major pollution source in watersheds.
- Provide funding to utilities to assist low-income and unemployed ratepayers, as well as aid to utilities for lost revenues from commercial customers during the COVID-19 economic crisis. There has been a massive increase in delinquencies of drinking water, wastewater and stormwater utility bills during the current crisis, which will impact the abilities of communities to maintain and operate essential services to maintain public health protection and allow for economic recovery. Utilities and states have placed moratoriums on service disconnections during the crisis, but costs to continue to deliver service and maintain the system continue.
- Inclusion of Section 29001 of H.R. 2 to support the development and implementation of smart water technology to better manage and address the nation's long-term water infrastructure, manage shrinking drinking water resources and meet water quality needs.
- Inclusion of Section 16 of H.R. 1497 or similar language to drive the EPA to address affordability and financial capability challenges for communities and households.
- Inclusion of language authorizing the use of Supplemental Environmental Projects (SEP) to meet Clean Water Act obligations.
- Inclusion of Section 2005, Wastewater Efficiency Grant Pilot Program, of S. 3591, to provide grants for energy resource recovery technologies during the wastewater treatment process.

We thank you for your consideration of the recommendations made above, and we welcome the opportunity to elaborate further upon them if necessary. WEF and our members appreciate the support the House and Senate have provided over the last several years to address the nation's water infrastructure needs, and we strongly encourage you to continue and expand that support in WRDA 2020.

Best Regards,



Walter Marlowe, P.E., CAE
Executive Director
Water Environment Federation
703.684.2430