



---

## FLINT, MICHIGAN: THE WATER CRISIS WE MUST NOT FORGET

---

ADAM KRANTZ & ERICA SPITZIG, NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES

**F**or several years now the media has focused on the drought and water supply crisis facing the arid West, especially California. For a brief period in 2014, the media also focused on the crisis in Toledo, Ohio that required the city to shut down its public water system and rely on bottled water. We have seen how an altered climate – as witnessed by Hurricanes Sandy, Irene and Katrina – can cause massive disruptions in our most basic water and wastewater services. And now, our attention has turned almost exclusively to the crisis in Flint, Michigan, which has served as a wakeup call to the nation.

The facts leading up to the current drinking water crisis in Flint have been in the media so frequently in recent months that they need not be restated in this article. Even so, they serve as a stark reminder of a challenge currently facing our country. Flint is about many things – mismanagement at all levels of government, a rush to change a water supply system without the appropriate controls in place, and the looming challenge of the vast infrastructure investment need facing our nation, especially in low-income communities with a shrinking ratepayer base.

Everyone's first thoughts are with the people of Flint, especially the children. But as the media now explores the state of our water infrastructure in cities, towns, and rural areas across the country, it is our profoundest hope that we can re-invigorate a local-state-federal partnership to meaningfully address this national challenge.

A group of the key national water sector associations, including the National Association of Clean Water Agencies (NACWA), signed onto a joint statement pledging their support to help address the Flint crisis through their relative strengths. The Statement also called for a National Dialogue at the appropriate time on how we as a nation can ensure that our water infrastructure – which is so fundamental to basic public and environmental health – is viable for us and for future generations.

Much of our underground network of pipes is old and nearing the end of its useful life – some pipes even date back to the 19th Century. It is not unheard of for pipes to be made from materials, like wood, that we would not fathom using today. Moreover, we face a hefty price tag to replace and expand these systems to serve our growing population and industrial base. Estimates place the spending needed for water/wastewater infrastructure at between \$500 billion to over \$1 trillion over the next 20 years. Even the low end of this estimate is staggering.

---

## I. OUR INFRASTRUCTURE IS INVISIBLE NO LONGER

Despite these huge needs, however, our water and wastewater utilities do such a good job in the face of growing challenges that the vast majority of Americans take our water supply and sanitation systems for granted. The work of our utility leaders should be applauded and their service to the public over many decades has helped to eradicate disease and allow our civilization, economy, and ecosystems to grow and thrive.

Many people argue that water infrastructure is taken for granted because unlike other infrastructure types (i.e., roads, bridges, schools, hospitals, etc.) it is underground and, therefore, out of sight, out of mind. We would argue that from the West Coast to the East Coast, clean and safe water infrastructure is invisible no longer and we ignore it at our own peril.

---

## II. HOW DID WE GET HERE?

So, how in the wealthiest country in the world and with our abundant resources, do we find ourselves facing this most fundamental challenge? The answer is actually very simple: the paradigm for addressing the array of complicated water challenges is getting old – much like the pipes and systems that form the spine of the water system. Simply put, we need a new approach.

The heyday of environmental legislation governing our drinking water and wastewater treatment systems dates back to the early 1970s. Lawmakers could not have foreseen—and the statutes are ill equipped to address—the types of problems we are encountering today, whether the issue is climate change and resilience, nutrient pollution and algal growth from agricultural and other sources unaddressed by these statutes, or even the growth in population and widening wealth disparities that add to the complexity of setting water and sewer rates that reflect the true value of water. Rapid changes and innovations in technology were also not fully contemplated by these environmental statutes, and arcane regulatory obligations may hamper our ability to fully take advantage of these advances.

This is not to say that the statutes cannot be read or interpreted to provide the flexibility to implement this new paradigm, which NACWA and fellow water sector organizations have coined as the “Water Resources Utility of the Future.” The paradigm relies on the need for a local-state-federal partnership based on trust, shared information, and shared investment — all values that could have played (and still should play) a vital role in dealing with the Flint crisis and ensuring more such events do not happen again.

---

### III. THE CRISIS IN FLINT & THE VALUE OF WATER

Of course, shifting the paradigm will take time. Meanwhile, we must address the most fundamental challenge facing any key infrastructure sector — money. Many communities, urban and rural, face the challenge of wealth disparities and often a growing number of low-income residents. Poor communities across the nation, like Flint, have the same clean water obligations as their wealthier counterparts and deserve and demand these same protections. As a nation we must grapple with the fact, however, that when a city has a significant population that is living below the poverty line (approximately 40% in the case of Flint) increasing rates to meet growing needs is a complex challenge.

Even in larger cities, where the income gap is often most pronounced, ratepayer funding for these projects is often elusive, as the city must consider what is affordable for all of its residents—from the very wealthy, to the very poor.

---

### IV. HOW DO WE FIX THIS?

A complete solution is too complex to lay out in a brief article like this, but it demands a full-scale review and realignment of our national water policies. Most importantly, it demands an open and clear partnership between local, state, and federal governments and the public they are charged with protecting. It means incorporating new technologies that can monitor and assess water quality challenges and help us nip them in the bud before they grow too large. And, of course, it involves innovative financing — municipalities currently pay for about 97% of the investment in our water infrastructure, which amounts to approximately \$100 billion per year. Local entities will always cover the lion’s share of the cost of clean water but we need to leverage investment from all levels of government and the private sector to fully address the challenge so that rates, coupled with other investment, reflects the true value of water.

The Value of Water Coalition, of which NACWA is a member, released the results of a national poll in February 2016, finding that 95 percent of Americans believe public officials should invest in water infrastructure to avoid future situations like Flint.



NACWA has advocated for decades for a sustainable federal investment partnership for water. In the wake of the Flint crisis, NACWA worked with Representatives Earl Blumenauer (D-Oregon), John Duncan (R-Tennessee) and Richard Hanna (R-New York) to introduce a bipartisan bill in the U.S. House of Representatives to establish a dedicated funding source for water/wastewater infrastructure. Importantly, the bill also requires EPA to conduct a first-of-its kind study of the water affordability gap facing low-income populations and to explore innovative methods to incentivize, through federal investment, higher rates at the local level that can better reflect the true value of water.

Representative Marcia Fudge (D-Ohio), in the wake of the Flint crisis, has also introduced a bill to help fund pilot programs to test such incentive-based funding initiatives in cities that are facing major affordability challenges regarding their water infrastructure systems. The House and Senate are also working on legislation to directly provide funding for infrastructure fixes and healthcare-related programs for Flint.

In short, with water supply and wastewater infrastructure challenges receiving priority attention across the country, from the drought to service disruptions to the crisis in Flint, Michigan, it is our profound hope that the people and policy-makers in this country will come together in a way that will provide permanent solutions rather than the easier and, frankly, more common band-aid approach.

Our water and wastewater utility managers and their staff deserve a standing ovation for the work they do every day to provide us with safe and clean water – we remain the envy of the world in this regard. But we also need to address the very real challenges that the unfortunate crisis in Flint has brought to light through lasting partnerships based on trust and a sustainable approach to water policy and investments.

---



**ADAM KRANTZ** has been CEO of the National Association of Clean Water Agencies (NACWA) since 2015. Previously, he served as NACWA's Director of Government & Public Affairs. Prior to his position at NACWA, Mr. Krantz was an associate editor/reporter at Inside Washington Publishers where his work focused on covering the U.S. Environmental Protection Agency's and Congress's national water quality initiatives. He holds degrees from Columbia University in New York City, the American University's Washington College of Law in Washington, D.C., and the University of Chicago. He is a member of both the District of Columbia and Maryland bar.



**ERICA SPITZIG** serves as Deputy General Counsel for the National Association of Clean Water Agencies (NACWA), where she works to advance NACWA's legal advocacy on behalf of publicly owned stormwater and wastewater utilities nationwide. Prior to joining NACWA, Erica worked as an attorney in private practice for firms with offices in Ohio and Kentucky, where she gained significant experience representing clients on municipal clean water legal and regulatory issues. Erica also served as an Assistant Attorney General for the State of Ohio. Erica received her Juris Doctor from Georgetown University Law Center, and her Bachelor of Arts in Political Science from Franciscan University of Steubenville.