



## RECONCILE AND PASS THE WATER RESOURCES DEVELOPMENT ACT OF 2016

The 114<sup>th</sup> Congress is working toward enactment of the Water Resources Development Act (WRDA) of 2016 by the end of this year. The House and Senate have passed different versions of WRDA legislation and the two chambers are now working to reconcile their respective bills into a final package which could be approved by Congress and sent to the President for signature.

H.R. 5303, the House package, is largely limited to authorizing flood control, navigation and ecosystem restoration projects undertaken by the Army Corps of Engineers (ACOE), but the House did pass certain amendments to the bill beyond its ACOE scope to address the drinking water crisis in Flint, MI and authorize a Great Lakes Restoration initiative.

S. 2848, the Senate package, is a more comprehensive bill that includes not only ACOE project authorizations and related provisions but also Clean Water Act (CWA) provisions addressing infrastructure investment, low-income ratepayer affordability challenges, Integrated Planning and green infrastructure for stormwater management, and Safe Drinking Water Act lead-related issues.

NACWA strongly encourages all Members of Congress to ensure that any final WRDA legislation includes common sense clean water infrastructure affordability reforms, supports innovation and resiliency, authorizes funding to address wet weather challenges and establishes a water infrastructure trust fund.

Below are key clean water priorities for inclusion in final package:

### Clean Water Act Reforms to Address Ratepayer Affordability

**S. 2848 includes Clean Water Act (CWA) related provisions addressing ratepayer affordability challenges:**

- Sec. 7202 authorizes \$75 million in *technical assistance for small systems* (up to 10,000 persons served) and \$50 million in *technical assistance for medium systems* (up to 100,000 persons);
- Sec. 7203 codifies EPA's 2012 *Integrated Planning Framework*, including authority to extend compliance schedules for meeting water quality-based effluent limits beyond a single NPDES 5-year permit cycle, and establishes an *Office of Municipal Ombudsman* within the EPA Administrator's Office to provide a voice for municipalities as they address CWA and Safe Drinking Water Act (SDWA) compliance;
- Sec. 7204 directs EPA to ensure that *innovative stormwater management infrastructure approaches are fully integrated* within CWA compliance programs; and
- Sec. 7205 requires the Environmental Protection Agency (EPA) to revise the 1997 *Combined Sewer Overflows—Guidance for Financial Capability Assessment and Schedule Development* and consider local economic conditions, essential community investments, and impact on low-income populations in affordability determinations – rather than rely solely on Median Household Income as a metric of affordability.

## Investments in Clean and Safe Water Infrastructure and Innovation

**S. 2848 authorizes investments in water infrastructure by leveraging capital and technology in the private marketplace:**

- Sec. 7201 reauthorizes the *Wet Weather Grant Program* at \$1.8 billion over 5 years to reduce combined and sanitary sewer overflows and manage stormwater and subsurface drainage water;
- Sec. 7302 permanently authorizes the *Water Infrastructure Financing and Innovation Act* (WIFIA);
- Sec. 7303 establishes a *Water Infrastructure Trust Fund* supported by a voluntary consumer goods label to augment federal investment in the Clean Water & Drinking Water State Revolving Funds (SRFs);
- Sec. 7304, 7308 and 7309 authorize funding to spur advances in water technology and accelerate its use under the Clean Water and Drinking Water SRFs;
- Sec. 7701 authorizes \$1 million for *Innovative Water Infrastructure Workforce Development Program*; and
- Sec. 7112 codifies *WaterSense*, EPA's voluntary labeling program targeting water conservation.

## Ecosystem Restoration

**S. 2848 authorizes \$2.27 billion for ecosystem restoration in large watersheds across 13 states providing funds for local governments and other public and private entities to advance water quality:**

- Authorizes \$1.5B over five years for the *Great Lakes Restoration Initiative* – a top bipartisan priority for Senators from several states (IL, IN, MI, WI, OH, PA, NY, MN);
- Authorizes \$415M over ten years for the *Lake Tahoe Restoration Initiative* (NV, CA);
- Authorizes \$325M over five years for the *Long Island Sound Restoration Initiative* (NY, CT);
- Authorizes \$30M over six years for the *Delaware River Basin Conservation Initiative* (DE, NJ, NY, PA); and
- Establishes the *Columbia River Basin Restoration Initiative* (OR, WA).

## Collaboration between ACOE and local entities on stormwater

Both S. 2848 (Sec. 1042) and H.R. 5303 (Sec. 142) include a provision to encourage greater coordination and integration between ACOE flood control projects and local water resources management programs that target, for example, improved stormwater management or aquifer recharge challenges. We urge reconciliation of these two provisions to encourage integration between federal flood control projects and local efforts designed to improve water quality and/or address water supply challenges.

*Contact your Member of Congress today to encourage passage of a WRDA bill containing these important provisions!*

FOR MORE INFORMATION, CONTACT:

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