



First 100 Days Water Priorities for Biden-Harris Administration

Public clean water agencies are a crucial part of America's infrastructure and support healthy and resilient communities. NACWA appreciated the opportunity to meet with the EPA ART (transition team) and, as discussed, here is our document outlining recommended priority actions for the water sector in the Biden-Harris Administration's first 100 days. On behalf of public clean water agencies nationwide, we look forward to continuing to work with the transition team and the Biden-Harris Administration on the critical challenge of building a more sustainable future.

As the Biden-Harris Administration sets its priorities for its first 100 days, the following actions would demonstrate early policy momentum, set a marker for a revitalized partnership with local governments and utilities, and advance water infrastructure in a way that spurs economic growth, creates jobs, and benefits the environment and climate resilience. Thank you for your consideration of the following recommendations:

➤ **Proclaim water infrastructure and resiliency investment as a top priority**

Modernizing and replacing the country's aging water and wastewater infrastructure while adapting it to meet changing climate and water use patterns may be the single largest public works need that our nation faces. Local governments are on the front lines of this critical work but need a strong federal funding partner and an aggressive stance on federal infrastructure investment, including water, out of the gate.

➤ **Affirm EPA's Continued Commitment to Integrated Planning**

NACWA urges a clear signal early on that the Biden-Harris Administration seeks to work collaboratively with local governments and public utilities to advance the goals of the Clean Water Act (CWA). An early reaffirmation of Integrated Planning as a key tool to help utilities prioritize their investments and achieve full compliance with the CWA would be very well received by the municipal community and EPA staff who have worked together to advance this effort for the last 12 years, beginning in the Obama-Biden Administration.

➤ **Support EPA's Updated Financial Capability Assessment Guidance**

In September 2020, EPA released a draft updated Financial Capability Assessment guidance that helps move EPA away from an outdated over-reliance on median household income when determining the best schedule for a community's CWA investments. The old approach ignored low-income affordability impacts, while the recently released updated draft FCA guidance represents a more holistic look at community financial capability, especially for low-income households. We urge that it be finalized and implemented.

➤ **Support federal coordination on COVID-19 RNA wastewater surveillance**

COVID-19 RNA wastewater surveillance has emerged as an important tool to help predict community presence and trends of COVID-19. We urge the incoming Administration to take steps to promote greater coordination among the key entities leading these efforts at the federal level—the U.S. Department of Health and Human Services (HHS), Centers for Disease Control and Prevention (which while part of HHS is conducting its own separate surveillance work), and EPA—and to identify which federal agency is best positioned to lead a coordinated effort with state health departments and the municipal utilities who provide samples, who are often being asked to duplicate efforts and need consistency to make such a program effective.

➤ **Restore the use of Supplement Environmental Projects**

NACWA was disappointed that the Trump Department of Justice (DOJ) prohibited EPA from agreeing to Supplemental Environmental Projects (SEPs) during CWA settlements. We urge the Biden DOJ to revisit this decision. SEPs have long been valued by diverse parties in CWA settlements to facilitate greater investment in local environmental projects.