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Dear Member of Congress:

On behalf of the National Association of Clean Water Agencies (NACWA) and our over 325 public wastewater and stormwater utility members - large and small, urban and rural - across the country in nearly every state, we look forward to the opportunity to work with you during the 117th Congress on important clean water legislation impacting our members and your constituents. As the leading national advocacy voice for the nation's publicly owned clean water agencies, NACWA stands ready to serve as a resource to you and your staff.

Public clean water utilities are at the forefront of protecting public health, ensuring environmental progress, and driving job and economic growth. Public clean water professionals work 24/7, 365 days a year to ensure that families, hospitals, schools, and businesses in their communities have the safe, reliable, and affordable clean water services they need.

While the work of NACWA's members has always been critical, the COVID-19 pandemic has shed new light on the essential services of clean and safe water and the rising costs associated with providing them. NACWA believes the time has come for a re-envisioned, strengthened federal commitment to investing in safe, reliable, affordable, and resilient water for all Americans.

To better assist these communities in their mission, NACWA encourages Congress to focus on the following key areas of clean water policy during the 117<sup>th</sup> Congress:

#### **Support Federal Investment in Public Clean Water Infrastructure**

The federal cost-share of water infrastructure has declined for decades and is now less than 5 percent of total drinking and clean water investment. Meanwhile, our nation's water infrastructure continues to age, new water quality challenges emerge, and Clean Water Act (CWA) compliance costs continue to grow.

These increasing costs to provide public water and wastewater services have fallen overwhelmingly to local ratepayers who will

continue to bear the brunt of rising rates as regulatory compliance and reinvesting in needed infrastructure grow.

Congress can help bridge this funding gap and reassert the federal government's role by helping provide communities with additional resources to meet their growing clean water needs and collectively work to meet the nation's clean water objectives.

As the 117<sup>th</sup> Congress gets underway, there is discussion about a potential comprehensive infrastructure investment package. NACWA strongly encourages such legislation, as there is strong bipartisan support for investment across all infrastructure sectors. A wide-reaching infrastructure bill would not only help restore and replace much of America's crumbling infrastructure but would also provide a needed boost to the nation's economy and create hundreds of thousands of solid, new jobs. Water must play a vital role in this effort, and NACWA encourages Congress to ensure that substantial funding in any infrastructure package is directed to the water sector.

Congress must also reauthorize and provide increased funding for the Clean Water State Revolving Fund (CWSRF), a program which has historically garnered strong bipartisan support. As the primary federal clean water financing tool that communities, both large and small, utilize to help meet their CWA obligations and infrastructure needs, the CWSRF will be more crucial than ever in the coming years.

We also urge Congress to increase support for other existing federal clean water infrastructure programs including the Water Infrastructure Finance and Innovation Act (WIFIA) program, the Sewer Overflow and Stormwater Control Grants program, water workforce program funding, and the expansion of funding for water infrastructure resiliency to better assist communities in protecting their critical infrastructure against increasing extreme weather.

While the causes of climate change relate to air pollution, the impacts of climate change — including changing precipitation patterns, drought, floods, increased storm intensities, rising sea levels, and coastal erosion — are almost all related to water. Utilities are already at the front lines of helping communities adapt to these "new normals" and manage extreme storm events. There is much more utilities can and will need to do and these efforts require a strong federal partner providing technical and financial assistance.

### **Address Water Affordability**

Building on the need for greater federal clean water infrastructure investment, rising clean water utility rates are increasingly creating water affordability challenges in communities around the country. Increasing rates often have a large disproportionate impact on low-income households and constrain the ability of communities to make needed investments in their water systems.

The water affordability challenge has been growing for many years and has only been exacerbated by the ongoing COVID-19 pandemic and concerns over water access faced by households struggling financially.

In late December, through the Fiscal Year 2021 (FY21) Consolidated Appropriations Act, the 116<sup>th</sup> Congress included \$638 million in assistance for low-income water and wastewater ratepayers impacted by COVID-19. This federal assistance represented the first time Congress has ever provided assistance to low-income customers for water bills and is a crucial step in helping struggling households pay their water and sewer bills during the pandemic and preventing untenable revenue shortfalls from being incurred by public utilities.

NACWA strongly applauds Congress for recognizing and funding this previously unmet need. The time has come for the establishment of a permanent federal low-income water customer assistance program (LIWAP) to aid households in need in paying for water services and prevent loss of service due to inability to pay, and the new program created in December represents an important step forward.

Just as the SNAP and LIHEAP programs assist struggling Americans with their food and energy costs, a water customer assistance program would similarly provide critical help for households unable to meet the costs of clean water services. In addition to being funded on a one-time basis through the FY21/COVID-19 deal, legislation to explore this type of program has bipartisan, bicameral support in Congress. NACWA and our members are strongly committed to further helping build momentum around establishing this type of funding as a permanent program.

### **Help Utilities in Controlling the Spread of COVID-19**

Utilities' frontline essential workforce has been working throughout the pandemic to deliver uninterrupted sanitation service and help in the fight against the spread of COVID-19, including partnering with health departments and the federal government on wastewater-based epidemiology studies. The clean water sector is proud to fill these roles in protecting public health and prevent the spread of COVID-19.

Many utilities, however, have seen significant revenue shortfalls as a result of decreased commercial, industrial and institutional water and service use that will constrain their budgets and investments. Either through additional COVID-19 relief or infrastructure investment, NACWA urges Congress to provide more federal aid expressly for water and wastewater utilities to address these shortfalls and help utilities protect their workers and communities during the pandemic and as a long-term need afterwards.

NACWA also urges continued federal support for, and coordination of, wastewater surveillance between HHS and US EPA. COVID-19 RNA wastewater surveillance has emerged as an important tool to help predict community presence and trends of COVID-19.

### **Science Based Regulatory Approach for Public Clean Water Utilities**

As stewards of protecting public health and the environment, the public clean water sector is committed to maintaining the highest level of regulatory compliance.

As concerns over outstanding and emerging water quality concerns grow, from nutrients to PFAS, we urge legislation crafted in a manner that provides for an evidence and risk-based scientific and regulatory process. This process will provide communities confidence that the investments and compliance costs they face result in actual public health protection and environmental quality improvement. We urge Congress to focus on controlling the sources of pollution, ensuring producer responsibility, and protecting the public from bearing the costs of cleanups for which the private sector should bear responsibility.

### **Drive Innovation and Technology in the Water Sector**

Over the past few decades, public clean water utilities have been innovators in treating and managing wastewater and developing and expanding the use of new technology to greatly improve public health and environmental performance as well as to lower costs, increase revenue, and boost local economies. These approaches include energy production from the wastewater treatment process, recovery of valuable resources like nutrients from the waste stream, water reuse, use of data to better optimize system performance, sensor technology, and cooperative watershed-based approaches to addressing water quality impairments.

Innovation will continue to be key to further advance shared clean water goals. Congress can help public clean water utilities expand on these efforts by supporting legislative approaches and programs that helps ensure they have the innovative and cost-effective technologies to address increasingly complex water quality challenges.

At a time when America's infrastructure is at a critical juncture and has never been so important and essential to every American, we appreciate your consideration of these matters. Please contact NACWA's Director of Legislative Affairs, Jason Isakovic ([jisakovic@nacwa.org](mailto:jisakovic@nacwa.org)) or NACWA's Managing Director of Government Affairs, Kristina Surfus ([ksurfus@nacwa.org](mailto:ksurfus@nacwa.org)) with any questions or to discuss further.

NACWA looks forward to working with you to ensure clean water is a key legislative priority in the 117th Congress.

Sincerely,



Adam Krantz  
CEO