



June 1, 2021

The Honorable Peter DeFazio
Chair, House Committee on
Transportation and Infrastructure
Washington, D.C. 20510

The Honorable Grace Napolitano
Chair, Subcommittee on Water Resources
and Environment
Washington, D.C. 20510

Dear Committee Chair DeFazio and Subcommittee Chair Napolitano:

Clean water infrastructure is at the core of improving and protecting the quality of our nation's rivers. American Rivers writes today in strong support of the proposed substitute amendment to the Water Quality Protection and Job Creation Act of 2021, H.R. 1915. American Rivers was founded in 1973 with the mission to protect wild rivers. Over time, our organizational mission has evolved to include the restoration of damaged rivers and conservation of clean water for people and nature. With headquarters in Washington, D.C. and 300,000 supporters, members, and volunteers across the country, we are one of the most trusted and influential river conservation organizations in the United States, delivering solutions for a better future.

Protecting our water infrastructure is essential to safeguarding our economy, public health and environment. Growing water demands coupled with an aging water infrastructure system has led to issues such as stormwater and sewage pollution, water treatment plants beyond capacity, and service lines in need of repair. These issues are also tied to the historically unequal funding for disadvantaged communities to maintain clean water infrastructure. The severity and urgency of our water infrastructure issues was confirmed when the American Society of Civil Engineers (ASCE) rated our nation's wastewater infrastructure as a "D+" grade and stormwater infrastructure as a "D" grade.

The Clean Water State Revolving Fund (CWSRF) is unique in its ability to address a wide range of water infrastructure issues. It can be used to control nonpoint sources of pollution, update municipal wastewater facilities and support decentralized water treatment plants for rural areas. Furthermore, investing in the CWSRF is prudent use of federal funds, producing almost a 3-to-1 return on investment since 1994. However, Federal funding for water systems has decreased by 77 percent since 1977; from 63 percent of water infrastructure coming from federal agencies to just 9 percent. While we support H.R. 1915 authorizing \$8 billion per year for the CWSRF, we believe \$10 billion per year is needed to effectively revive our nation's crumbling water infrastructure. We also support the provision in the substitute amendment requiring states to use a minimum of 10 percent of their total funding for additional subsidization. For communities unable to afford low-interest loans, subsidization is an important component to supporting water infrastructure needs.

The Green Project Reserve (GPR) has proven to be effective in promoting investments in green infrastructure, water efficiency, energy efficiency, and environmentally innovative projects. Implementing these projects is a cost-effective and sustainable approach to lessen the burden on water infrastructure. For example, green infrastructure can be used for preventing stormwater runoff, controlling flow hydrology and filtering pollutants. While we support the increase to 15 percent included in the substitute amendment, we encourage this level to be raised to 20 percent of the annual capitalization grant. Additionally, we support codifying the GPR to ensure it remains an available tool for states and localities to accelerate their transition from grey to green.

Combined Sewer Overflows (CSOs) are responsible for approximately half of all estuary contamination. This contamination is frequently associated with wastewater treatment plants that have insufficient capacity. The nation's more than 16,000 wastewater treatment plants are steadily reaching their design capacities, while 15 percent have already reached or exceeded it. We support H.R. 1915 including \$400 million per year for the Sewer Overflow and Stormwater Reuse Municipal Grants Program. This program provides support for infrastructure needs of CSOs, SSOs and stormwater systems. We also support the provision in the substitute amendment to authorize investment in technical assistance and workforce development. Prioritizing the wastewater workforce is essential to sustain the necessary support when one-third of the water sector workforce is eligible to retire in the next 10 years.

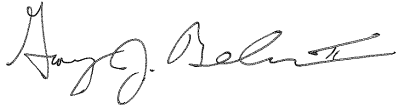
We support the provision in the substitute amendment directing the Environmental Protection Agency to conduct a study of the historical distribution of clean water infrastructure funding to rural, tribal, and disadvantaged communities, who have been disproportionately affected by issues linked to water resources. They receive less funding to address more consequential water infrastructure issues, while also paying a greater percentage of their income to water utilities. Because of disparities in local abilities to pay for water infrastructure, only the federal and state governments have the resources to ensure equitable access to clean water. This proposed study by the EPA would assess the current and historical inequality for drinking water infrastructure in disadvantaged communities and assist in remedying the problem.

We appreciate both the substitute amendment and the original bill text excluding any provisions extending the permissible duration of water pollution discharge permits to ten years. The Clean Water Act specifically outlines five-year permit terms for good reason - many changes can take place over five years that impacts the health of a water body and requires adjustments to how pollution is managed. Pollutants and their causes can change over time, the physical landscape can be altered, new technologies and management practices become available. Five-year permits are critical to healthy waters and rivers.

As this legislation evolves, we encourage the committee to consider other clean water infrastructure funding mechanisms included in the Senate's Drinking Water and Wastewater Infrastructure Act of 2021 (S. 914), such as emergency grants for public water systems and additional considerations for small public water systems. This once-in-a-decade piece of legislation is a chance to ensure future generations have access to

clean and affordable water, regardless of income or race. We thank you for your leadership and commitment to addressing the widespread water resource issues our country is facing. We strongly support this legislation and the inclusion of the proposed substitute amendment.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary J. Belan II". The signature is written in a cursive style with a prominent initial "G" and "B".

Gary J. Belan II
Senior Director, Clean Water Supply program
American Rivers