



NRWA Appreciates the Beneficial Water Provisions in the "America's Water Infrastructure Act of 2018"

On Monday, the key House & Senate committee leaders announced a bipartisan, bicameral agreement on comprehensive water resources infrastructure legislation which could be considered on the House floor later this week.

The "[America's Water Infrastructure Act of 2018](#)," was announced by Senate Environment and Public Works Committee Chairman John Barrasso (R-WY), Senate Environment and Public Works Committee Ranking Member Tom Carper (D-DE), House Energy and Commerce Committee Chairman Greg Walden (R-OR), House Energy and Commerce Committee Ranking Member Frank Pallone (D-NJ), House Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA), and House Transportation and Infrastructure Committee Ranking Member Peter DeFazio (D-OR).

NRWA is appreciative of the very helpful and beneficial water-related provisions in "America's Water Infrastructure Act of 2018," and urges its passage and enactment.

The legislation makes significant improvements and modifications to the Clean Water Act, the Safe Drinking Water Act and the Water Infrastructure Finance and Innovation Act that will be very beneficial to small and rural communities. Most U.S. water utilities are small; over 91 percent of the country's approximately 50,000 drinking water systems serve communities with fewer than 10,000 people and approximately 80 percent of the country's 14,500 plus wastewater systems serve fewer than 10,000 people.

The legislation addresses priority small and rural community water issues with the following provisions:

- **Section 4103, Technical Assistance for Treatment Works:** This provision includes a version of Senator Wicker and Heitkamp's "Small and Rural Community Clean Water Technical Assistance Act" which would establish a federal Clean Water Act technical assistance program administered to assist small public wastewater treatment systems in complying with EPA regulations. Small and rural communities have more difficulty affording public wastewater service due to lack of population density and lack of economies of scale. Likewise, they have a much more challenging time complying with our federal Clean Water Act permits and operating complex wastewater treatment systems due to the lack of technical resources in small communities. This bill provides a solution to the lack of technical resources in small communities by providing technical experts (we call them Circuit Riders) in each state to be shared by all small and rural communities in need of assistance. A Circuit Rider is a person with expertise in wastewater treatment operation, maintenance, governance and compliance who constantly travels the state to be available on-site to any community in need of assistance.

- Section 4201, WIFIA Reauthorization and Innovative Financing for State Loan Funds:** This provision includes a version of the “*Securing Required Funding for Water Infrastructure Now (SRF WIN) Act*” sponsored by Senators Boozman (AR), Booker (NJ), Inhofe (OK) and Feinstein (D-CA) which improves the current Water Infrastructure and Finance Innovation Act (WIFIA) by extending WIFIA-type authorities to your state revolving loan funds (SRFs). State SRFs are preferred to the status quo WIFIA program because the SRFs, by statute, target federal water funding to communities with the most need or merit (i.e. the combination of compliance burden, water rates, and local consumers’ ability to pay for the projects) and allow states to choose projects to meet state-determined needs. All sizes of communities are eligible for SRF funding.
- Title II, Drinking Water System Improvement:** This title is a version of the House of Representatives Energy and Commerce Committee’s Safe Drinking Water Act reauthorization, H.R. 3387 (Drinking Water System Improvement Act of 2017). Enhancing drinking water quality in small communities is more of a resource issue than a regulatory problem. Most small community non-compliance with the Safe Drinking Water Act and Clean Water Act can be quickly remedied by on-site technical assistance and education. This title improves the current SDWA by targeting funding to disadvantaged communities and small communities with minimum set-asides, and prioritization of projects with the greatest environmental and economic need. It extends maximum loan duration up to 40 years. The bill increases to 35 percent of the amount of additional subsidization to include forgiveness of principal that can be used in disadvantaged communities. Commonly, low income or disadvantaged communities do not have the ability to pay back a loan, even with very low interest rates, and require some portion of grant or principal forgiveness funding to make a project affordable to the ratepayers. Very importantly, the title includes no additional regulatory burden or new unfunded mandates on small and rural communities. In the consolidation provisions, the bill reflects NRWA’s “*Fletcher*” principle that local communities (governments) should retain authority to choose when to merge, consolidate or enter into any type of privatization arrangement. The principle was articulated by NRWA President Steve Fletcher on [May 19, 2017](#) during the House Subcommittee on Environment hearing regarding the legislation.
- Section 4304, Water Infrastructure and Workforce Investment:** New federal attention and emphasis on water workforce development is proposed in this section. It takes more than 380,000 highly skilled water and wastewater personnel to ensure the public supply of safe drinking water and to protect our lakes, streams and groundwater. A college degree is of value but is not required. This career does require a great deal of training and experience. The apprenticeship model would be a welcome enterprise for the water worker universe.

NRWA is very appreciative that the legislation includes numerous substantive and necessary drinking water and clean water provisions that make the “America’s Water Infrastructure Act of 2018” a comprehensive and beneficial water legislative package for the country.