

June 29, 2020

Dear Representative,

The undersigned organizations support numerous provisions in H.R. 2, The Moving Forward Act, that invest in our nation's water infrastructure, environmental justice, ecosystem restoration, and community resilience.

We depend on wastewater and stormwater infrastructure every day to prevent our communities from flooding, protect our sources of drinking water, and keep local rivers and lakes clean and safe for our families to enjoy. However, in many areas, our nation's infrastructure is no longer up to the task. Pipes, septic tanks, and treatment facilities have exceeded their intended lifespans and are breaking down, with the most severe impacts often falling on low-income communities and communities of color. The American Society of Civil Engineers gave the nation's wastewater infrastructure a D+ grade in its 2017 infrastructure report card.¹ Critically, climate change is adding further stress to these systems.

The EPA estimates that we need to invest \$271 billion in maintaining and repairing our wastewater infrastructure over the next twenty years just to meet current environmental and health standards.² Yet according to Congressional Budget Office data, federal funding for water and wastewater utilities has decreased fourfold since 1980, leaving state and local governments to pick up the tab.³ These costs are becoming increasingly difficult for communities to afford. The passing on of infrastructure repair costs to consumers has created an affordability crisis for many across the country with wastewater prices more than doubling over the last twenty years.⁴

In particular, H.R. 2 helps address the pressing need for additional wastewater and stormwater infrastructure funding by significantly increasing the amount of federal assistance made available to states and communities through the Clean Water State Revolving Fund (CWSRF). The bill's proposed CWSRF authorization of \$8 billion annually (Sec. 22113) would quadruple current funding levels and help to make progress on our nation's substantial water infrastructure backlog. By spurring development of good union jobs, including expanded job opportunities in environmental justice communities, this investment would also boost local economies that have been hit hardest by the COVID-19 pandemic.

We also appreciate and support provisions included in the Act related to drinking water. Particularly, we support the reauthorization of the Drinking Water State Revolving Fund at

¹ <https://www.infrastructurereportcard.org/cat-item/wastewater/>

² <https://www.epa.gov/cwns>

³ <https://www.cbo.gov/sites/default/files/114th-congress-2015-2016/reports/49910-infrastructure.pdf>

⁴ <https://www.brookings.edu/blog/the-avenue/2016/09/12/striking-a-better-balance-between-water-investment-and-affordability>

increased levels (Section 33103), and direct assistance to disadvantaged communities and communities suffering from PFAS contamination (Section 33101). These provisions will help eliminate water inequalities, spur economic recovery and growth, and build strong, resilient communities. Moving forward, we encourage even higher authorization along with policies improving the affordability of water service for low-income households and economically disadvantaged communities.

We support provisions within the bill that make federal funding easier to access and more effective for frontline communities. Federal funding for infrastructure has historically not translated to increased support in the frontline communities harmed most by environmental pollution. Any increases in funding should explicitly include mechanisms to ensure funding goes where it is needed most. Specifically, we support actions like decreasing local cost-share requirements for loan and grant programs, including set asides for particular underserved communities (i.e. disadvantaged, rural, etc.) within funding streams, and increasing the amount of SRF funds used for additional subsidization such as loan forgiveness and grants. We recognize that several provisions in the bill advance these goals, and we encourage legislators to push for more of these provisions in any water infrastructure related legislation and to strengthen them even further in order to better support frontline communities.

Additionally, we want to voice our support for the following specific provisions in Division F, Title II of the bill that would make increased investments in our nation's water infrastructure, improve affordability for disadvantaged communities, protect water quality, and prioritize the use of natural infrastructure.

- Sec. 22102 - requires a report to Congress on workforce development in the wastewater sector.
- Sec. 22103 – authorizes \$300 million for Clean Water Act Section 106 grants, which provide assistance to states and tribes to establish and implement ongoing water pollution control programs to better manage water quality.
- Sec. 22104 - authorizes a grant program to help wastewater utilities increase the resilience of water systems in the face of climate change, including through the use of green infrastructure, and prioritizes assistance to rural communities.
- Sec. 22105 - establishes a pilot program for alternative water source projects.
- Sec. 22106 - increases funding to \$2 billion annually for Sewer Overflow and Stormwater Reuse Municipal Grants, which help communities build treatment works and other measures for combined sewer overflows, sanitary sewer overflows, or stormwater management. It also reduces the non-federal cost share for low-income communities, allowing underserved communities to better access this program.
- Sec. 22107 - directs the EPA to estimate the costs to implement resiliency and sustainability measures at publicly owned treatment works.

- Sec. 22108 - codifies the annual set-aside of CWSRF funds for projects, training, technical assistance, or education for tribes.
- Sec. 22109 - directs states to use at least 15% of CWSRF annual capitalization grants for projects that incorporate green and natural infrastructure, energy efficiency, and water efficiency, providing social, economic, and environmental benefits to communities.
- Sec. 22110 – requires states to use at least 10% of their CWSRF annual capitalization grant to provide additional subsidization to disadvantaged communities, including in the form of grants, and raises the current 30% limit on additional subsidization for states that invest more of their own money in their CWSRF programs.
- Sec. 22111 - authorizes states to use up to 1% of annual CWSRF capitalization grants on workforce development activities.
- Sec. 22114 - directs EPA to provide technical and planning assistance to support municipalities, including municipalities that are rural, small, and tribal communities, in complying with the Clean Water Act.
- Sec. 22116 - authorizes up to \$1 billion annually in grants to publicly owned treatment works to address PFAS and other emerging contaminants by implementing pretreatment standards and effluent limitations.
- Sec. 22201 – authorizes \$200 million annually for Clean Water Act Section 319 grants, which help states and tribal agencies implement nonpoint source management programs to improve water quality.
- Sec. 22301-22308 - the bill reauthorizes or establishes programs that help restore and protect our nation’s great waters, including the Chesapeake Bay, Great Lakes, and National Estuary Programs to restore fish and wildlife habitat, improve water quality, and safeguard drinking water sources across our nation’s great waters.

As H.R. 2 advances on the floor, we also want to also offer our views on several amendments that may be up for consideration. Our groups oppose efforts to include damaging regulatory provisions that would extend the terms of Clean Water Act National Pollutant Discharge Elimination System (NPDES) permits issued to municipal wastewater dischargers from five to ten years (amendment #51). This change would allow dischargers to operate for a decade or more under pollution control standards that have long since become outdated. On the other hand, our groups strongly support efforts to include provisions to replace lead service lines across America (amendment #95). Removing lead service lines is the most effective way to protect communities from lead contamination.

Investing in water infrastructure—including green infrastructure—protects public health, enhances wildlife habitat, and creates quality job opportunities for workers. The inclusion of the above provisions in H.R. 2 is a vital step toward our shared goal of ensuring clean, safe, and affordable water for all.

Sincerely,

Advocates for a Clean Lake Erie
Alabama Rivers Alliance
Alliance for the Great Lakes
American Chestnut Land Trust
American Rivers
American Sustainable Business Council
Amigos Bravos
Anacostia Watershed Society
Black Warrior Riverkeeper
Black Women's Health Imperative
Cacapon Institute
Cahaba River Society
Cahaba Riverkeeper
Capital Region Land Conservancy
Chesapeake Bay Foundation
Chesapeake Conservancy
Children's Environmental Health Network
Clean Water Action
Coosa Riverkeeper
Earthjustice
Eastern Pennsylvania Coalition for Abandoned Mine Reclamation (EPCAMR)
Ellen Gilinsky, LLC
Endangered Habitats League
Environmental Law & Policy Center
Freshwater Future
Friends of the Middle River
Friends of the Rappahannock
Great Rivers Habitat Alliance
GreenLatinos
Green-Rock Audubon Society
Holy Spirit Missionary Sisters, USA-JPIC
Huron River Watershed Council
Illinois Council of Trout Unlimited
Indiana Wildlife Federation
Interfaith Partners for the Chesapeake
Izaak Walton League of America
John Cox Consulting
Lakeshore Natural Resource Partnership

League of Conservation Voters
Little River Waterkeeper
Maryland League of Conservation Voters
Massachusetts Rivers Alliance
Michigan League of Conservation Voters
Milwaukee Riverkeeper
Minnesota Environmental Partnership
Montana Trout Unlimited
National Aquarium
National Wildlife Federation
Natural Resources Defense Council
Oregon Environmental Council
Pennsylvania Council of Churches
Porter County #Black Lives Matter
Potomac Conservancy
Rappahannock League for Environmental Protection
Religious Coalition for the Great Lakes
Rock Creek Conservancy
Save The River Upper St Lawrence Riverkeeper
Sierra Club
Sisters of the Holy Cross
Sleepy Creek Watershed Association
Southeast Rural Community Assistance Project, Inc.
Southern Environmental Law Center
Southern Maryland Audubon Society
SouthWings
Susquehanna National Heritage Area
Virginia Conservation Network
Waterkeepers Chesapeake
West Virginia Highlands Conservancy
West Virginia Rivers Coalition
Wisconsin Metro Audubon Society
Wisconsin Wildlife Federation