SMALL COMMUNITY CHALLENGES

WHEREAS, protecting public health is a major goal of the federal Clean Water Act and the Safe Drinking Water Act; and

WHEREAS, existing federal environmental regulatory requirements for drinking water continue to give rise to small system compliance challenges; and

WHEREAS, new federal environmental regulatory requirements for drinking water and wastewater impose an increasing burden on the primacy agencies and the regulated water systems for ensuring small community compliance; and

WHEREAS, the national conversation around infrastructure needs recognizes the hardships for different types of communities, and it is important to acknowledge the unique set of challenges facing small or rural communities; and

WHEREAS, small communities have a willingness and interest in complying with federal regulations, but find it difficult to stay abreast of the federal requirements due to a small tax base, and lack of adequate financing options, management skills and board member turnover, trained personnel, and systems to manage environmental requirements; and

WHEREAS, aging wastewater treatment facility infrastructures increasingly raise the likelihood of discharges that adversely affect human health and the environment; and
WHEREAS, aging infrastructure, both for drinking water systems and wastewater systems, further compound problems being experienced by small communities; and

WHEREAS, small systems represent a large percentage of the wastewater facilities found in significant noncompliance (SNC); and

WHEREAS, many small communities are financially unable to obtain new or additional loans to address infrastructure deficiencies and new federal requirements; and

WHEREAS, small communities of populations of 5,000 or less are particularly impacted by these issues; and

WHEREAS, states have a strong commitment to providing compliance and technical assistance to these small communities, however, states often lack sufficient resources or flexibility to use funds to provide these services; and

WHEREAS, the National Governors Association’s 2019-2020 Chair’s Initiative prioritized national infrastructure investment, and it developed principles supporting comprehensive approaches to infrastructure financing that allow for leveraging a variety of funding sources and approaches, promoting public-private partnerships, emphasizing the importance of federal reforms that do not preempt state flexibility, and encouraging integrated approaches to water resource challenges among states and with federal, tribal, and local partners; and

WHEREAS, U.S. EPA continues to provide support through its Water Infrastructure and Resiliency Finance Center, an information and assistance center established in 2015 to help communities make informed decisions for drinking water, wastewater, and stormwater infrastructure to protect human health and the environment; and

WHEREAS, the WIIN Act established two grant programs; one to assist drinking water systems that serve small or disadvantaged communities to develop and maintain adequate infrastructure; and one to assist eligible entities with lead reduction projects.

NOW, THEREFORE, BE IT RESOLVED THAT THE ENVIRONMENTAL COUNCIL OF THE STATES:

Requests that U.S. EPA and Congress work with states and local governments to continue to develop innovative strategies to address current and future small community drinking water and wastewater requirements, and share these strategies among state and local partners;

Encourages U.S. EPA to support the use of flexibility in existing federal funding for small communities to lessen the financial burden on already stressed systems, support the development of innovative financial arrangements, and continue to develop the Water Infrastructure and Resiliency Finance Center, including supporting the Environmental Finance Center (EFC) Network so it may continue to assist small communities to manage their regulatory requirements;

Encourages U.S. EPA to work closely with states in considering and discussing the full suite of available options for improving compliance rates at small systems including setting policy, developing standards and permits, promoting compliance assistance, inspection and enforcement strategies, integrated planning, identifying resources, and highlighting agency success stories; and
Requests that all federal funding for small communities authorized as part of U.S. EPA’s budget be directed to, or closely coordinated with, delegated or designated state agencies to provide to small communities the needed technical and compliance resources, including resuming state-led operational compliance assistance, establishing systems to manage environmental requirements, encouraging the implementation of alternative and less costly infrastructure technology and engineering techniques, and promoting the use of asset management.