



Resolution 16-5
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Via Conference Call

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Asheville, North Carolina

As certified by
Carolyn Hanson
Acting Executive Director

ADDRESSING SERIOUS NEEDS REGARDING DRINKING WATER AND CLEAN WATER INFRASTRUCTURE INVESTMENT

WHEREAS, water infrastructure is critical to the provision of clean and safe drinking water, and to the management of water that is protective of public health and the environment; and

WHEREAS, states and territories play an integral role in building water and wastewater infrastructure, including seeking community input to determine priorities, planning, providing technical assistance, marketing investment in green infrastructure, design, performing cost-effective engineering analyses, permitting, monitoring compliance, administering loans, and preventing fraud and waste; and

WHEREAS, America's drinking water and clean water infrastructure is aging and an increasing number of local governments are unable to financially keep pace with growing demands, including those associated with a changing climate, scientific and technological advancements, public health threats caused by drinking water contaminants, and existing and new requirements; and

WHEREAS, communities with populations disproportionately impacted by environmental issues, small communities, and rural communities are particularly pressed to make these needed investments and to operate and maintain these assets; and

WHEREAS, U.S. EPA's 6th Drinking Water Infrastructure Needs Survey estimated that our drinking water infrastructure would require an investment of \$472.6 billion from 2015-2034, and U.S. EPA's last Clean Watershed Needs Survey, in 2012, estimated that an investment of \$271 billion would be required over the next five years to address clean water infrastructure needs; and

WHEREAS, extensive documentation shows that water and clean water infrastructure funding needs exceed the federal government's present historic investment levels; and

WHEREAS, increased investments in water infrastructure through the Infrastructure Investment and Jobs Act, also referred to as the Bipartisan Infrastructure Law (BIL), and additional funds through the American Rescue Plan (ARP), will greatly improve progress toward meeting the goals of the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA) through increased resources for the Clean Water State Revolving Loan Fund (CWSRF) and Drinking Water State Revolving Loan Fund (DWSRF) programs and the advancement of new water infrastructure programs; and

WHEREAS, these increased investments under BIL and ARP are complementary to the Water Resources Reform and Development Act (WRRDA) of 2014 which established a financing mechanism for drinking water and clean water infrastructure projects to be managed by U.S. EPA under the Water Infrastructure Finance and Innovation Act (WIFIA) program; and

WHEREAS, since 2018, the U.S. Congress has established and funded seven new State and Tribal Assistance Grant (STAG) infrastructure assistance grants related to drinking water safety including assistance for small and disadvantaged communities, reducing lead in drinking water, lead testing in schools, drinking water infrastructure resilience and sustainability, technical assistance for treatment works, sewer overflow control grants, and water infrastructure and workforce investment; and

WHEREAS, other federal agencies also provide critical funding for small communities' water infrastructure, including the U.S. Department of Agriculture (USDA) Water and Wastewater Loan and Grant Program; and

WHEREAS, emerging and unregulated contaminants, such as algal toxins and Per- and Polyfluoroalkyl Substances, threaten the safety of drinking water supplies and aquifers; and

WHEREAS, the implementation of energy efficiency and conservation measures, as well as the production of clean energy on-site from renewable sources, including solar, wind, geothermal, and biogas combined heat and power systems, may reduce water utilities' energy budgets, and improve emergency operational capabilities, system resiliency, capacity, and affordability without compromising water quality when properly implemented; and

WHEREAS, there is a need for programs to increase the number of certified water and wastewater system operators to ensure the safe and effective operation of our water infrastructure, particularly in small communities, rural communities, and those with populations disproportionately impacted by environmental issues; and

WHEREAS, federal agencies must collaborate closely with states and territories to effectively and efficiently spend BIL and ARP resources, advance innovative funding and technical support, and increase state and territorial program capacity for our nation's aging drinking water and clean water treatment systems.

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

Supports the Drinking Water and Clean Water State Revolving Funds (SRFs), and encourages work with state and territorial agencies through ECOS to efficiently and effectively utilize the new BIL and ARP resources to meet the needs identified in the respective needs surveys;

Recognizes that significant increases in SRF appropriations impacts states' and territories' ability to meet the SRF match requirements and encourages relief and flexibility for match and cost-share requirements to allow states and territories to deliver federal funds efficiently and effectively to communities across the nation;

Encourages U.S. EPA to work with states and territories to develop and continually improve guidance around meeting federal priorities including the "Build America, Buy America Act" and Justice40;

Encourages identification of financing approaches to help communities make sustainable decisions for drinking water and clean water infrastructure investment to protect public health and water resources;

Supports leveraging opportunities across federal, state, territorial, local, and private authorities to make more resources available to communities;

Supports efforts to prioritize efficient, affordable, and timely awards to communities with populations disproportionately impacted by environmental issues, small communities, and rural communities, prioritizing use of additional subsidy resources provided to the SRF programs;

Supports meaningful and flexible federal agency coordination with states and territories to provide direct financial and technical assistance, including tools and resources that support states' and territories' efforts to increase SRF program staffing to effectively manage increased levels of program investments;

Supports efforts to develop and implement water and wastewater system operator training certification programs that advance this trade as a good career option with our nation's youth and job-seekers transitioning from other fields;

Supports U.S. EPA's continued efforts to work with states, territories, and localities to advance best practices and innovative use of SRF monies, and reduce the federally imposed administrative burdens of utilizing SRF funds;

Supports ongoing federal financial support for green infrastructure, including water conservation projects, ecological restoration and protection projects, aquifer recharge or storage and recover, pollution prevention projects, climate resilience projects, energy efficiency measures, and on-site clean power generation projects, through the SRF programs and other appropriate financing mechanisms, with the understanding that the allocation of SRF funds towards these projects, as reflected in their formally adopted Intended Use Plans, should remain the responsibility of each individual state or territory to ensure that these programs are responsive to the individual needs of each state and territory;

Urges U.S. EPA to support flexible utilization of Pollution Control (Section 106 CWA) and Public Water System Supervision (PWSS) STAG Categorical Grants for state and territorial administrative costs;

Encourages the U.S. Congress to provide increased Section 106 CWA and PWSS STAG Categorical Grants funding for state and territorial implementation purposes and to consider making STAG infrastructure grants eligible for Performance Partnership Grants (PPGs) to minimize grant administrative burdens;

Recommends that funding for WIFIA not come at the expense of funding to the SRFs or the STAG grants, and that any increases in funding to one SRF not adversely affect the other SRF;

Supports continued funding for water infrastructure funding mechanisms and programs across the federal government, including the USDA Water and Wastewater Loan and Grant Program, which cannot be adequately replaced with SRF money; and

Urges continued, constructive national conversations around these subjects, including documenting successes, best practices, and case studies in innovative funding, and effective and sustainable partnerships.