

118th U.S. Congress Policy Priorities: WATER RESILIENCY



The American Public Works Association (APWA), representing over 30,000 public works professionals in North America, is committed to making water infrastructure safer, more resilient, and best able to meet the changing needs of the 21st century.

APWA applauds the passage of the Infrastructure Investment and Jobs Act (IIJA), signed into law November 15, 2021. The \$1.2 trillion federal investment over 5-years demonstrates an important commitment and partnership between the federal, state, and local levels of government. We urge full funding for programs that support maintenance and development of water infrastructure such as State Revolving Funds, Water Infrastructure Finance and Innovation Act (WIFIA), Rural Utilities Service, Public Water System Supervision grants, and the Public Works and Economic Development program. Funding must be distributed in a timeframe that agencies can accommodate, while controlling project costs. We must work together to build on the opportunities IIJA is creating through successful implementation, and to enhance this goal, APWA supports the following:

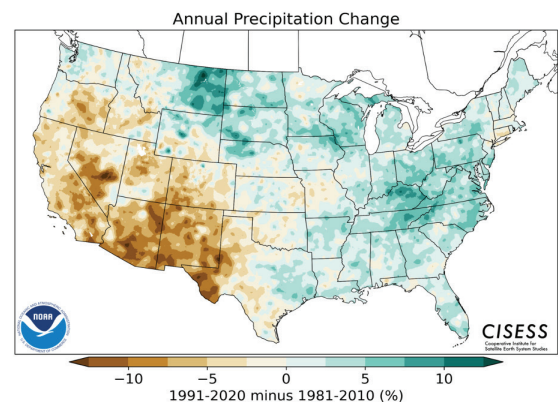
RESILIENCE AND STEWARDSHIP

- APWA urges that the authorized funding for replacing lead drinking water services lines under the Drinking Water State Revolving Fund (DWSRF) is implemented.
 - Proactive communities have experienced cost and timing issues that suggest funding delays impact implementation goals.
- Support targeted improvements for water systems for natural hazards, cybersecurity vulnerabilities, or extreme weather events by fully funding:
 - Midsize and Large Drinking Water System Resilience and Sustainability Program
 - Clean Water Infrastructure Resiliency and Sustainability Program
- Support is crucial for programs such as the Water SMART Drought Response Program, which assists state, local, tribal, and critical service entities with drought-related activities and expands the technology transfer of drought and water conservation strategies.
 - EPA should encourage the development of regional preparedness and response plans by water providers in cooperation with local, state, and federal agencies, and require these plans mitigate the negative economic, social, and environmental impacts caused by a lack of available water or flooding.
- EPA should support and guide states on how to incorporate a more coordinated, cooperative, and communicative water management strategy plan in grant programs. EPA must also use comprehensive planning, data, and analytical methods.
 - Plans should incorporate land-use planning, proactive mitigation, resource stewardship, environmental conservation, metrics/measurement of per capita use, and public education as the basis of the initiative.

- Support tenets and concepts in the National Water Reuse Action Plan as policy guidance for current, future federal, state, and local programs.
- Create incentives to reward proper asset management and help reverse the decline and failure of water infrastructure.

UPDATE

- Public works professionals are at the forefront when addressing emerging contaminants, including Per- and polyfluoroalkyl substances (PFAS). Public works should be included in conversations with regulators and other relevant stakeholders on the safety and science surrounding these chemicals. APWA supports regulatory standards informed by thorough research and peer-reviewed scientific studies.
 - Public works facilities that abide by best practices for on-site treatment and disposal of biosolids should not be held liable for issues they did not create. Unwarranted legal expenses hinder investments in system improvements and raise costs for communities they serve.



- A time-sensitive waiver process that would require an assessment within 30 days or result in automatic approval would provide clarity and relief from supply challenges.



- Waivers should be one year, minimum, and blanket the country or specific regions. EPA should leverage use of its existing supply-chain-disruption webpage to inform these decisions using real-time submissions from public works.
- Full funding for agencies to hire appropriate staff. Budget for extensive outreach and provide needed technical assistance to applicants whether from the agency or through partner organizations to support IIJA implementation.
- Continue to facilitate EPA movement towards implementing a comprehensive, integrated planning approach to all Safe Drinking Water (SDWA) and Clean Water (CWA) act permitting (drinking water, wastewater, stormwater, combined sewer overflow) so maximum flexibility and cost effectiveness are implemented in the decision-making process.
- Include affordability and cost effectiveness for the service provider and customer as a basic tenet within SDWA and CWA permitting processes, while understanding affordability varies by community, region, and economic conditions.
- Retain cost-benefit analyses, feasibility studies as key components when developing/revising new/existing regulations.
- Preserve, enhance financing mechanisms for investment in water infrastructure. Preserve the tax-exempt status of municipal bonds. Lift the Private Activity Bonds cap for water infrastructure projects. Restore advance refunding of the tax-exempt municipal bonds (as called for in S. 479 117th Congress).

STREAMLINE

- Adhere to the “One Federal Decision” process, which IIJA codified into law to provide a more predictable, transparent, and timely federal review and authorization process for delivering major infrastructure projects exceeding \$25 million.
- When revising regulations for streamlining, retain analyses such as cumulative impacts to account for maximum cost benefit analysis and environmental impacts.

All forms of water – drinking water, wastewater, stormwater, and urban, suburban and agricultural runoff, along with the infrastructure to collect, treat, store and convey water – must be considered an asset to be preserved and protected. All water on earth follows a natural cycle and is continuously used and reused in different forms.

The **American Public Works Association** represents over 30,000 public works professionals across North America, dedicated to providing essential and high-quality services to millions of people in rural and urban communities, both small and large.

APWA members serve in the public and private sectors providing expertise on the local, state, and federal government levels. Working in the public interest, our members plan, design, build, operate and maintain, and oversee America’s vast water resource networks, plus other key infrastructure assets essential to our nation’s economy, environment, and way of life.

- APWA strongly encourages the federal government and industry to coordinate with state and local governments on water infrastructure projects.
 - Enhancing local control is key to successfully designing, maintaining, and operating water infrastructure.
- APWA opposes unfunded mandates.
- APWA opposes curtailing the local governing authorities ability to appropriately control use of public rights-of-way.
- Allow states with regulations that exceed federal law to use their procedures as evidence of compliance with national standards and remove the 2-year window for environmental lawsuits.
- State Revolving Fund (SRF) requirements should include language to greatly reduce impediments to communities applying for funding in a timely manner or place burdensome financial costs on the applicant(s).
 - Add a “fast track waiver” or “partial waiver process” for small projects receiving less than \$5 million in federal funding or use federal funds for less than 25% of total project costs from applicable federal regulatory requirements such as some or all aspects of Environmental Assessment.

WORKFORCE

- APWA supports dedicated and full congressional funding for workforce programs authorized by IIJA. A skilled and educated workforce is critical to the successful implementation of the law, and to support America’s vast infrastructure network.
 - With our nation facing unprecedented workforce shortages, APWA believes it must be a priority of Congress to fully fund and support workforce development initiatives, including the Innovative Water Infrastructure Workforce Development Program.

As the leader in public works education and credentialing programs, APWA encourages and values continual education and professional growth opportunities for those who build, operate, and maintain our nation’s infrastructure, allowing them to remain at the top of their career fields and ensuring they are up-to-date with the best and latest developments in public works expertise.



APWA Government Affairs
118th United States Congress

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