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**Adam Krantz**

March 28, 2017

The Honorable Deb Fischer  
U.S. Senate  
Washington, D.C. 20510

The Honorable Sherrod Brown  
U.S. Senate  
Washington, D.C. 20510

The Honorable Ben Cardin  
U.S. Senate  
Washington, D.C. 20510

Dear Senators Fischer, Brown, and Cardin:

On behalf of the clean water utility members of the National Association of Clean Water Agencies (NACWA), I am writing in support of S. 692, the *Water Infrastructure Flexibility Act* (WIFA), bipartisan legislation that establishes strong tools within the Clean Water Act (CWA) to help municipalities more affordably comply with the statute.

There is little doubt that our nation's water quality has significantly improved since enactment of the CWA in 1972, largely due to investments in wastewater and stormwater infrastructure made by Congress and America's ratepayers. In fact, since the law's enactment, the number of waterways deemed fishable and swimmable has increased nearly 50%. Yet improvements in water quality have become more difficult to achieve as sources of pollutants have grown more complex and the Nation's municipal clean water infrastructure has continued to age. At the same time, the current structure of the CWA, which hasn't been significantly reformed in over thirty years, has led to an accretion of costly regulations for local ratepayers – in many cases with diminishing environmental returns.

Paying for clean water services has primarily rested with ratepayers who have seen clean water bills increase nearly twice the rate of inflation each year for the past decade. Today, 40% of households across America are paying more out of their disposable incomes for wastewater and stormwater management than what EPA says is affordable.

S. 692 proposes common sense reforms to the CWA to address this affordability challenge. Specifically, the legislation codifies Integrated Planning which is an

important new tool that the Environmental Protection Agency (EPA) launched several years ago. The initiative enables communities to meet their permit obligations under the CWA in a holistic, prioritized manner that accounts for ratepayer affordability concerns while ensuring progress toward water quality goals. By codifying Integrated Planning as a permanent compliance feature under the Act, communities can undertake long-term planning in reliance of it.

Equally as important, the legislation requires EPA to adopt new affordability guidelines that do not rely on a single economic indicator to determine whether a community of ratepayers can afford compliance obligations. The clean water community has urged EPA to adopt revised affordability standards for many years and we are pleased this legislation will finally accomplish this goal.

Further, the legislation would establish an office of Municipal Ombudsman at the EPA to provide municipalities with technical assistance to comply with the CWA and the Safe Drinking Water Act. Many communities, especially small, rural communities, often have insufficient technical capacity and expertise to manage the increasingly complex regulatory compliance obligations under these statutes. The Office of Municipal Ombudsman can ensure that these communities receive technical support they may need to navigate these statutory requirements and ensure compliance to avoid violations and/or federal enforcement actions.

Finally, the legislation includes provisions to ensure that the EPA integrates the use of green infrastructure throughout its CWA compliance programs. Green infrastructure uses natural landscape features such as vegetation, soils, and other elements to manage stormwater in a way that reduces pressure on aging underground infrastructure. Municipalities are increasingly installing green infrastructure throughout the urban environment as an alternative to grey infrastructure approaches in an effort to build more resilient water management systems, reduce costs and improve quality of life attributes in local neighborhoods.

NACWA appreciates your leadership on this important legislation and looks forward to working with you and your Senate colleagues to enact it.

Sincerely,

A handwritten signature in cursive script that reads "Adam Krantz". The signature is written in black ink and is positioned to the left of the typed name and title.

Adam Krantz  
Chief Executive Officer