



UPDATE:

Update water and wastewater regulations

PROTECT:

Protect people, property, and the environment

ENHANCE:

Preserve and enhance water infrastructure

SCIENCE:

A science-based approach to regulations

STREAMLINE:

Streamline local, state, and federal governance structures



PRIORITY: UPDATE

A fundamental priority of public works professionals is to manage water assets to meet the appropriate regulatory standards for their intended uses. Treated drinking water, wastewater, stormwater, and runoff all contribute to the replenishment of the water cycle. APWA seeks to promote a sensible approach to regulation that coordinates and balances public health and the environment.

APWA recommendations:

Extend permit limits beyond 5 years so communities can properly budget the cost of compliance while addressing other non-permit required priorities associated with the quality of our nation's waters, as called for in H.R. 1764 (116th Congress).

End the isolated approach to permitting and move towards a "One Water" stance by implementing a comprehensive, integrated planning approach to all Safe Drinking Water Act (SDWA) and Clean Water Act (CWA) permitting (drinking water, wastewater, stormwater, combined sewer overflow) so that maximum flexibility and cost effectiveness is implemented into the decision-making process.

Include affordability and cost effectiveness, both for the service provider and the customer, as a basic tenet within the SDWA and CWA permitting processes along with an understanding that affordability varies by community, region, and economic conditions.

Retain cost-benefit analyses and feasibility studies as key components in the process of developing new regulations and revising existing regulations.

Support federal programs that aid water customers in disadvantaged communities, ensuring that these populations are not denied essential services.

Allow greater local decision-making relative to the importance of individual local water resources, as done in the Water Resources Development Act (WRDA) 2018 legislation, so that investments can be directed in a manner that will improve and protect waters that are environmentally, economically, and important to recreation.

Support federal programs under the U.S. Department of Agriculture and other federal agencies that bring together the agriculture community, water utilities, and other partners to protect sources of drinking water through collaborative approaches.



PRIORITY: PROTECT

Flooding, drought, severe weather, and man-made dangers impact people and their property, as well as the environment. Policies, programs, and projects to mitigate the impacts of these events are critical and necessary to develop water resilient communities.

APWA mitigation recommendations:

Support programs within the federal government, such as the WaterSMART Drought Response Program, that assist state, local, tribal, and critical service entities with drought-related activities and expand the technology transfer of drought and water conservation strategies.

Encourage the development of regional drought preparedness and response plans by water providers in cooperation with local, state and federal agencies, and require those plans mitigate the negative economic, social, and environmental impacts caused by a lack of available water.

Encourage planning and management efforts that include steps to reduce the vulnerability of future water interruptions, such as floods or drought.

Require a more coordinated, cooperative and communicative water management strategy and utilize comprehensive planning, data, and analytical methods. Plans should incorporate land use planning, proactive mitigation, resource stewardship, environmental conservation and public education as the basis of the initiative.

Support federal programs that provide assistance to water systems to increase resilience to natural hazards, such as the Water Infrastructure Resiliency and Sustainability Act language from WRDA 2018.

Support the tenets and concepts in the National Water Reuse Action Plan.

Invest in physical and cybersecurity programs to ensure secure water resources and protect public health. Water providers utilize automation and connected technologies which can be vulnerable to cyberattacks. Water providers use chemical substances to treat water for public use, meaning physical security must also be a priority. Appropriate levels of federal support and resources are crucial to state and local governments for enhanced security and infrastructure.

Ensure federal regulations do not become onerous and burdensome to public works professionals utilizing drones in the water sector. Drones are used in various capacities such as for inspecting water towers, aerial surveys of dams and levees, and to have photographs taken for public education.



PRIORITY: ENHANCE

Infrastructure assets are critical to everyday lives, and public works professionals face challenges daily in maintaining existing infrastructure. Robust federal funding is required to replace aging infrastructure, maintain newer infrastructure, expand existing capacities, and implement new technologies to provide people and businesses with needed water services now and into the future.

APWA enhancement recommendations:

Provide robust funding for existing federal programs that support maintenance and development of water and wastewater infrastructure programs, such as the 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.

Support programs that allow State Financing Authorities applying for WIFIA loans, such as the State Infrastructure Financing Authority WIFIA (SWIFIA) program.

Preserve and enhance financing mechanisms for investment in water infrastructure, including preserving the tax-exempt status of municipal bonds lifting the cap on Private Activity Bonds for water infrastructure projects, and restoring advance refunding of tax-exempt municipal bonds, as called for in S. 4129 (116th Congress).

Fund professional development training initiatives to assist the development and utilization of innovative activities relating to the workforce development and career opportunities in the water sector, as well as language that makes public works departments and agencies eligible for these funds, as called for in S. 3591 (116th Congress).



PRIORITY: SCIENCE

The benefits of water quality protection are maximized when all components of such initiatives have a sound scientific basis and a clear rationale. New and revised regulations must be cost effective, science-based, affordable, and prioritized according to environmental and human risks-addressing the highest risk first.

A science-based approach to regulations using integrated planning should form the

basis to establish which projects are of the greatest public health and environmental quality value balanced with affordability for communities.

APWA makes the following science-related recommendations:

Regularly evaluate goals, standards, and strategies to incorporate the most recent scientific information and analyses.

Use scientific studies to drive the protection of the environment and a sustainable balance of natural resources.

Promote problem resolution and enhance public health and pollution prevention in water quality protection while considering both the beneficial uses of each water body individually and the watershed as a whole.



PRIORITY: STREAMLINE

It is vital that the federal government promote partnerships between disparate local, state and federal agencies with responsibility and authority for operation of segments of water infrastructure to remove impediments to coordination and full utilization of existing infrastructure. Recognize all existing federal acts and programs including the CWA, SDWA, Navigable Waters Protection Rule (NWPR), National Environmental Policy Act (NEPA), and develop a management plan that reduces permitting, construction, and financing conflicts.

APWA makes the following streamlining recommendations:

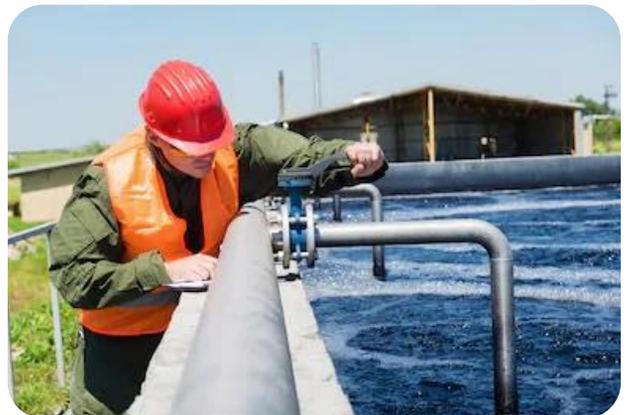
Adhere to the "One Federal Decision" process laid out under Executive Order 13807, providing a more predictable, transparent, and timely federal review and authorization process for delivering major infrastructure projects.

When revising regulations to provide for streamlining, retain analyses such as cumulative impacts in order to account for maximum cost-benefit analysis and environmental impacts.

Allow states with strong regulatory laws to substitute their laws for federal requirements and remove the current 2-year legal window for environmental lawsuits.

Exempt small projects that receive less than \$1 million in federal funding or use federal funds for less than 25% of total project costs from applicable federal regulatory requirements.

Enhance state and local control regarding public works projects as a key to successfully designing, maintaining, and operating water infrastructure. APWA opposes unfunded mandates and any effort to impede the appropriate use of public right of way. APWA strongly encourages the federal government and industry to coordinate with state and local governments on water infrastructure projects.



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 both the public and private sectors providing expertise to 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, as well as other key infrastructure assets essential to our nation's economy, environment, and way of life.