

January 28, 2008

The Honorable Barbara Boxer
United States Senate
Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, D.C. 20510-6175

Re: Clean Water State Revolving Fund Reauthorization

Dear Chairman Boxer:

We are writing to urge you to introduce legislation to reauthorize the Clean Water State Revolving Fund (CWSRF) as soon as possible. In March 2007, the House passed the *Water Quality Financing Act of 2007* in a veto-proof 303-108 vote that would reauthorize the CWSRF at \$14 billion over four years. We urge the Senate to introduce and pass a bill that would do the same. The need for such funding to help states and localities carry out their Clean Water Act obligations became more pronounced last month when Congress passed, and President Bush signed, an omnibus bill that contained only \$688 million for the CWSRF. This represented a nearly 40 percent cut and was the lowest amount ever provided in the 20-year history of the program. Communities nationwide are struggling to fill the \$350-\$500 *billion* funding gap to pay for critical water infrastructure necessary to protect public health and the environment. We believe that reauthorizing this valuable program will help in that effort.

As you ready this bill for introduction, however, we would also like to provide some input regarding the critical importance of including green infrastructure provisions in your legislation as it progresses. We also believe water conservation and efficiency should be promoted in the bill as a critical way to extend and maximize the capacity and life of water infrastructure systems.

As the national discussion regarding water resources management shifts its focus to sustainable infrastructure, it is critical that the bill offer strong, specific provisions regarding funding and incentives for green infrastructure research, programs and projects as well as water efficiency measures. Such provisions would help states and municipalities nationwide further advance innovative natural-system solutions that use soil and vegetation as part of a community's water quantity and quality management system.

Though often complementary to — rather than a replacement for — traditional infrastructure investments, green infrastructure technologies can help reduce stormwater pollution and mitigate overflows from combined and separate sewers. They also provide a broader spectrum of environmental and community benefits, including expanded wildlife habitat, enhanced drinking water supplies, protected open space and parks, energy savings, smog reduction, decreased

flooding, improved air quality, improved aesthetics, and higher property values. Language in the bill should target, at a minimum, \$100 million of CWSRF funds to be used by states for the design and implementation of green infrastructure projects as well as the monitoring of such projects once completed to determine their water quality benefits. Where green infrastructure projects are already in place, funds to monitor their water quality benefits should also be made available.

In addition to direct CWSRF funding, we also urge the Committee to incorporate into the legislation incentives for states to include green infrastructure projects on their priority project lists. Green infrastructure projects are already a rising priority in many areas, but it is critical that states include and rank them on their priority lists based on input from municipal officials and other key stakeholders. We also urge the Committee to direct states to condition CWSRF funding on loan recipients undertaking adequate water conservation and efficiency measures as already described in EPA guidance documents.

In addition, water conservation and efficiency projects have long been eligible under the CWSRF (see attached EPA memo to states). EPA has promulgated guidance to states urging them to set minimum standards for conservation and efficiency plans for CWSRF loan recipients (see <http://www.epa.gov/OW-OWM.html/water-efficiency/pubs/guide.htm>). To date, however, few states have elected to do so. Given the tremendous strains to our water supplies and water infrastructure from climate change, population growth, and economic development, we urge the Committee to require all states to adopt such minimum requirements for CWSRF conservation project loans.

From the national perspective, it is clear that green infrastructure and water efficiency measures are already becoming a mainstream part of the sustainable infrastructure solution. This is exemplified by the *Green Infrastructure Statement of Intent* the U.S. Environmental Protection Agency (EPA) signed earlier this year with the National Association of Clean Water Agencies (NACWA), the Natural Resources Defense Council (NRDC), the Low Impact Development Center (LID Center), and the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA). This Statement, which is attached, outlines some of the green infrastructure approaches currently in use and establishes a framework for its wider application. Green infrastructure provisions in your CWSRF legislation would help bolster EPA's ability to further its green infrastructure strategy.

Inclusion of substantial green infrastructure funding and incentives, as well as provisions to promote water conservation and efficiency in the Senate's CWSRF reauthorization bill will go a long way to address the clean water funding needs challenging local communities across the nation.

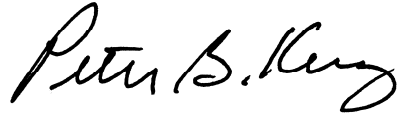
We would appreciate an opportunity to meet with you at your earliest convenience to discuss our nation's wastewater infrastructure crisis and the opportunities that the Senate has this year to help

to ensure that America's waterways are protected. Thank you for your continued leadership in tackling this difficult challenge and we look forward to working with the Committee as the CWSRF reauthorization moves forward in the Senate.

Sincerely,



Betsy Otto
Senior Director, Healthy Waters Campaign
American Rivers



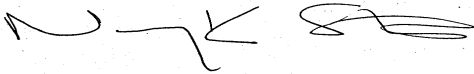
Peter King
Executive Director
American Public Works Association



Ken Kirk
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National Association of Clean Water Agencies



Nancy Somerville
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