



AMERICAN PUBLIC WORKS ASSOCIATION

*Your Comprehensive
Public Works Resource*

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November 5, 2015

The Honorable Thad Cochran
Chair
Appropriations Committee
United States Senate
Washington, D.C. 20510

The Honorable Barbara Mikulski
Ranking Member
Appropriations Committee
United States Senate
Washington, D.C. 20510

The Honorable Lisa Murkowski
Chair
Appropriations Subcommittee on
Interior, Environment and Related Agencies
United States Senate
Washington, D.C. 20510

The Honorable Tom Udall
Ranking Member
Appropriations Subcommittee on
Interior, Environment and Related Agencies
United States Senate
Washington, D.C. 20510

Dear Senators Cochran, Murkowski, Mikulski and Udall:

I am writing on behalf of the members of the American Public Works Association (APWA) to urge the committee not to include the text of S.1586 or its companion HR 2809, The Great Lakes Protection Act, in any future appropriations bill for Fiscal Year (FY) 2016. Included as Section 428 of S. 1645, the FY2016 Interior and Environment Appropriations bill, this legislation will create a tremendously expensive burden for local governments and their public works agencies in the Great Lakes region without any significant improvements in water quality.

Protecting the nation's drinking water is essential to public health and the quality of life our citizens enjoy. APWA's 29,000 members play a critical role in providing clean and safe water to their communities large and small, urban and rural. Chief among their responsibilities are to plan, design, build, operate and maintain water supply and wastewater treatment systems, stormwater management programs, and drainage and flood control infrastructure, among numerous other public assets. Our members include public works professionals from cities, counties and special districts, as well as their private sector partners. Our members take seriously their responsibility to balance the needs of their communities with protecting the environment and are committed to a partnership with federal, state, regional and local levels to assure a sustainable future.

PRESIDENT
Brian R. Usher, PWLF

INTERIM EXECUTIVE DIRECTOR
Larry W. Frevert, P.E., PWLF

As such, our members are committed to complying with the Combined Sewer Overflow (CSOs) Control Policy that municipal organizations, water utilities, environmental groups, and state agencies agreed to in 1994 and codified by Congress in 2001. That agreement included fundamental principles to balance local environmental objectives with cost and practicality, Section 428 conflicts with the policy.

To achieve the goal of zero CSOs for local communities, tens of billions will have to be spent for many communities; with planning, permitting, and construction taking several years. The legislation has a requirement that zero CSOs be reached by 2035, which means planning and engineering the project will already need to be underway to comply without penalty. For example, Grand Rapids, Michigan has spent twenty years working to remove its combined sewer system and the current cost is \$400 million, however, the city still has CSOs. By forcing communities to spend billions of dollars at a time of economic hardship on an unrealistic standard, instead of maintaining and replacing aging infrastructure, which is a threat to public health, is short-sighted. In addition, this standard will remove the ability for communities to protect the integrity of their wastewater treatment systems during extreme wet weather.

Further, this legislation would set an impossible standard for communities in other regions of the country as they negotiate CSO compliance levels with the Environmental Protection Agency. Lastly, Section 428 proposes one of the largest federal unfunded mandates in the history of the Clean Water Act and no hearings have been held, nor has there been debate on this matter. Everyone can agree that reducing our impact on the environment should be a priority, but this legislation shows a disregard for the serious engineering, construction, and financial burden communities would face to comply with its standard. We urge you to refrain from including Section 428 in any funding bill for FY 2016.

On behalf of all public works professionals nationally, we thank you for your consideration of this request. If you have any questions or need additional information, please contact Josh Reiner at JReiner@apwa.net, or (202) 218-6734.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian R. Usher". The signature is fluid and cursive, with the first name "Brian" and last name "Usher" clearly distinguishable.

Brian Usher, PWLF
President. APWA