



OPPORTUNITIES AND CHALLENGES IN THE CREATION OF A CLEAN WATER TRUST FUND

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Chairwoman Johnson, Ranking Member Boozman, and distinguished members of the Committee, thank you for the privilege of testifying today on establishing a dedicated trust fund for clean water. My name is Dereth Glance, I am the Executive Program Director for Citizens Campaign for the Environment (CCE). CCE is an environmental and public health advocacy organization, supported by over 80,000 citizens throughout New York and Connecticut. I also am the treasurer and board member of the national Clean Water Network and serve on Governor Paterson's Clean Water Collaborative.

I believe establishing a dedicated fund to deliver safe drinking water to Americans and to ensure American waters are no longer routinely fouled from sewage and polluted run-off is long overdue and can justifiably be defined as an urgent and critical matter.

AMERICA'S CLEAN WATER CRISIS

There is an overwhelming need for investment and modernization of our drinking water and clean water infrastructure and management. In New York State alone, the clean water and drinking water needs will exceed \$74 billion over the next 20 years.^{1,2} My city, Syracuse, needs \$1 billion alone to address cracking and crumbling water infrastructure.³ The EPA estimates our national drinking and clean water needs exceed \$722 billion over 20 years.

I could speak at length about the overwhelming quantity of raw sewage that contaminates our waters, as it happens almost everyday. Daily, communities struggle to comply with consent orders and need federal resources to protect Americans and our right to basic sanitation. New York's needs are abundant:

- In Buffalo, combined sewer overflows are a long-standing problem that occurs about 68 times a year. An estimated 4 billion gallons of raw sewage and storm water pour out of Buffalo's 58

¹ http://www.dec.ny.gov/docs/water_pdf/infrastructurerpt.pdf

² http://www.health.state.ny.us/environmental/water/drinking/docs/infrastructure_needs.pdf

³ http://www.syracuse.com/news/index.ssf/2009/05/syracuse_struggles_to_keep_on.html

combined sewer overflow outlets each year, and it is estimated to cost \$1 billion to fix the problem.

- In Utica and Oneida County, the sewer systems are under a state consent order to upgrade clean water infrastructure to stop dumping untreated sewage into the Mohawk River estimated to cost between \$150 to \$310 million for this work.
- Westchester County is facing a \$230 million mandate to upgrade the Mamaroneck and New Rochelle Treatment Plants to reduce nitrogen contributions to the Long Island Sound by 58.5%.
- On Long Island, the Bay Park Sewage Treatment plant in Nassau County pours 58 million gallons per day of treated effluent into an embayment known as “The Western Bays” which is a sub-region of the South Shore Estuary Reserve. The Western Bays is listed by the DEC as an impaired for pathogens and nutrients. Nassau County assessed upgrades to cost over \$200 million.
- In Suffolk County, the Bergen Point Sewage Treatment Plant has an outfall pipe to the Atlantic Ocean. However, this pipe is exhibiting stress fractures and is in need of repair. The estimated cost is \$150 million. If the pipe breaks before the necessary repairs are accomplished then treated sewage will flow into the Great South Bay, jeopardizing public health, local beaches and the recovering hard shell clam industry.

Just before Christmas, over 28 million gallons of sewage poured into the Long Island Sound from a broken pipe in Greenwich, CT.⁴ During the Independence Day weekend, more than 6,000 gallons of sewage barraged Lake George, closed the Million Dollar Beach, and fouled the day for summer vacationers and surrounding businesses.⁵

The same is true for our potable drinking water mains. On Mother’s Day, in Syracuse, a water main burst, flooding downtown streets, churches, daycares, and businesses with over 1 million gallons of water.⁶ It shut down business for days and closed a daycare center permanently. The 250 miles of pipes, originally laid by teams of men and horses over a century ago, pose huge environmental and economic liabilities.

Water is a powerful compound and sewage is caustic. The pipes running underground are “out of sight, out of mind”. With so many other problems that we can see, investing in clean water infrastructure is too often ignored, until it too late. **It seems that upgrades to our clean water infrastructure only happen as a result of legal action. Now it is time that we must make rebuilding and reinvesting in the fundamental sanitary service for our society a national priority.**

Our tap water is an amazing and affordable resource, however too many of our older urban communities are still receiving water through lead-leaching pipes. We have removed lead from gasoline, paint, toys, and now it is time to ensure our children, as well as members of Congress and their staff, are not drinking tap water contaminated by lead pipes.

⁴ http://www.wtnh.com/dpp/news/news_ap_epa_greenwich_sewage_spill_among_largest_200812300855

⁵ http://www.northcountrygazette.org/2009/07/06/sewage_spill/

⁶ http://www.syracuse.com/news/index.ssf/2009/05/syracuse_struggles_to_keep_on.html

Wastewater may be a misnomer as water is nothing to waste. It is a resource, with value capable of producing energy and it is necessary in restoring local economies and our environment. It takes tremendous energy and resources to purify our drinking water and treat our sewage. Sewage treatment plants are some of the most energy intensive and costly municipal taxpayer expenses. By investing in energy and water efficiency improvements, the taxpayers have much to save and even more benefits to gain. Just look at our friends in Dallas, Texas, who have been able to address water shortages, and avoid controversial and expensive new water systems, by providing incentives for residential and commercial water efficiency practices.⁷

A dedicated and robust Clean Water Trust Fund will assist states and local municipalities in closing the gap for waste infrastructure needs, and the economic benefits will be felt far and wide by creating jobs, improving water quality, and protecting public health. In the Great Lakes region alone, the Brookings Institution assessed the economic benefits from a \$26 billion restoration investment—with the bulk of the price tag to address sewer overflows—would bring at least \$80 billion in regional economic benefits.⁸

THE CLEAN WATER AND SAFE DRINKING WATER STATE REVOLVING LOAN FUND

This is not to say that Congress is sitting idly by. I applaud Congress for including much needed funding for water infrastructure in the American Recovery and Reinvestment Act (ARRA). In particular, ARRA included language that advanced sustainable water management by encouraging green infrastructure, energy and water efficiency improvements, and innovative—and often cheaper—‘outside the pipe’ solutions. However, the \$6 Billion in the ARRA was only a start and now we desperately need to continue the progress.

As a result of Congressional leadership, New York State revamped its Intended Use Plan and added ‘Category G’ to fund green innovative water projects. Just after Earth Day, I stood with EPA Administrator Jackson, Governor Paterson, Congressman Hinchey and Congressman Tonko to announce the largest grant for wastewater infrastructure in EPA’s history. Over \$432 million dollars was awarded to New York and this much-needed down payment was quickly allocated to the projects at the top of the list. However, hundreds of reviewed, ranked, and ready-to-go clean water projects wait with baited breath for funding. Until federal assistance is provided, those critical projects will sit idle.

I am encouraged by the reauthorization and much needed funding increases moving through Congress for both the drinking water and clean water state revolving loan funds (SRF). The SRF is an effective and important funding source for American water projects, but need consistently exceeds available funding. Our cities and rural communities especially struggle with taking additional debt load and need access to grants to proactively address near and long term water infrastructure investments.

THE AMERICAN WATER PROTECTION AND INVESTMENT ACT

The draft American Water Protection and Investment Act outlines a 21st century approach to address our 21st century water needs. I would like to highlight the following key provisions that will be critical to a successful American Clean Water Trust Fund:

⁷ http://savedallaswater.com/index_english.htm

⁸ http://www.brookings.edu/~media/Files/rc/reports/2007/0904gleiecosystem_austin/0904gleiecosystem_austin.pdf

- **‘Fix it first’ smart growth approach:** Only existing communities are eligible for funding, preventing the trust fund from being used to fuel unsustainable sprawling development and building ‘pipes to nowhere.’
- **Funding Research and Development:** Our 21st century water infrastructure needs to be grounded in 21st century science and engineering. Creating national research centers and providing resources to university water infrastructure programs is critical to develop the bright minds to implement our sustainable water future.
- **Encouraging innovative clean water solutions:** To manage water efficiently, the EPA tells us to: slow it down, spread it out, and soak it in. Using natural infiltration and capturing water where it falls reduces demand at the treatment plant. Incorporating non-potable water for non-drinking water uses further reduces strains on natural resources and the cost of our water bills.
- **Preventing pharmaceutical pollution:** Keeping pharmaceuticals out of the water is critical, as our treatment plants are not equipped to remove the endocrine disrupting and estrogen mimicking medications. Requiring labels on medicines for proper disposal and enacting drug-take back programs is essential to protect fish, wildlife, and people.
- **Providing grants** to our cash-strapped municipalities to provide the investments sorely needed for our public water infrastructure.
- **Climate change adaptation and mitigation:** With sea level rising and more intense storms, local communities will need resources to address new challenges to our water infrastructure from our changing climate. Generating renewable energy at our treatment plants can help mitigate greenhouse gas pollution while stabilizing electricity costs.
- **Supplement, not supplant, the SRF:** The American Water Protection and Investment Act, builds upon the existing SRF programs and provides for the low-to-no interest revolving loan funds to continue. The overwhelming national water needs require more funding and grant opportunities to ensure the promise of the Clean Water Act and the Safe Drinking Water Act.
- **Dedicated funding:** Enacting small fees on pesticides, water dependent products, beverages, and users is a sensible and diffuse way to generate resources.

I have one recommendation for consideration. *Source Water Assessment Plans should be explicitly eligible for funding.* Protecting drinking water at the source is a cost-efficient and important program to reduce harmful byproducts from the treatment process and other contaminants.

Water is a public trust, it is necessary for us to drink, or we perish. Access to clean and affordable water is a right and it is essential for our nation to have a sustainable way to pay for it. Every day, another tragic sewage spill fouls local beaches, pollutes our lakes, rivers and estuaries. Report after report documents that our aging and failing water infrastructure is crumbling and cannot fix itself.^{9,10} Federal trusts exist for highways, airports, harbors, and Medicare to name a few.

Of all things to hold in public trust, what could be more important to Americans than access to safe and clean water?

⁹ <http://www.infrastructurereportcard.org/fact-sheet/wastewater>

¹⁰ http://www.citizenscampaign.org/special_features/sewer_scorecard.asp