



WESTERN STATES WATER COUNCIL

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Web Page: www.westernstateswater.org

June 10, 2020

Sent Via Email

The Honorable Mitch McConnell
Senate Majority Leader

The Honorable Charles Schumer
Senate Minority Leader

The Honorable Lisa Murkowski
Chairwomen, Energy & Natural Resources

The Honorable Joe Manchin
Ranking Member, Energy & Natural Resources

Majority Leader McConnell, Minority Leader Schumer, Chair Murkowski & Ranking Member Manchin:

The Western States Water Council (Council) is a government entity that provides member-state Governors with advice and recommendations on how to ensure that the West has an adequate, secure and sustainable supply of water of suitable quality to meet its diverse economic and environmental needs now and in the future. Sustainable water resource development and management should yield long term economic growth, enhanced protection and restoration of significant aquatic ecosystems, and improve public health, safety and welfare, as well as our quality of life. A number of individual bills, amendments and proposals are moving through the federal legislative process that address various water-related infrastructure needs. Moreover, discussions continue over a possible infrastructure stimulus package.

The Council wishes to reiterate its longstanding support for placing a high priority on addressing the water supply and water quality challenges that face the West and the Nation. A secure and sustainable water future will depend in large part on our ability to maintain, replace, rehabilitate and make the most efficient and effective use of our existing aging infrastructure. Meeting our present and future water infrastructure needs will require greater state and federal investments, as well as support for innovative water supply strategies and new storage options to better balance supplies with demands.

Consistent with the Council's existing positions, we broadly support enactment of the Water Supply Infrastructure Rehabilitation and Utilization Act (S. 2044) and the Aquifer Recharge Flexibility Act (S. 1570), both now pending on the Senate Legislative Calendar. We also support Senator McSally's proposed amendment to H.R. 1957, the vehicle for the Great American Outdoors Act, to provide for the establishment of an Aging Infrastructure Account. Further, we support the goals and objectives of the Drought Resiliency and Water Supply Infrastructure Act (S. 1932) and the Western Water Security Act (S. 2718), under consideration by the Energy and Natural Resources Committee.

We specifically support provisions that authorize programs, projects and funding for: (1) the maintenance or replacement of aging water infrastructure, including systems for drinking water, stormwater, wastewater, and water supply; (2) dam and levee safety; (3) surface and groundwater storage, including aquifer storage and recovery (ASR) projects; (4) water recycling, reuse, and desalination projects; (5) watershed and wetlands rehabilitation and recovery, taking advantage of natural ecological services; (6) forecast informed reservoir operation (FIRO) pilot studies and revised project

rule curves and operating manuals; and (7) WaterSMART projects and programs. We welcome and applaud these efforts to improve our Nation's water infrastructure.

The Council supports an “all-of-the-above” approach to investing in both traditional storage projects and innovative strategies. Further, the Council supports the following principles and actions to help ensure a secure and sustainable water future:

- Collaboration, investment and leadership at all levels – federal, state, tribal, local and private – to address the Nation's water infrastructure needs;
- Appropriate federal investments as a public policy priority that will provide jobs and economic security, while protecting the environment;
- The creation and maintenance of dedicated water infrastructure funding through special accounts with dedicated receipts to be promptly put to use for authorized purposes;
- Appropriate infrastructure asset management and capital budgeting at all levels;
- A congressional budget scoring method that considers the unique timing of the costs and benefits of water infrastructure investments, and accounts for long-term public health and safety, economic and environmental benefits, with fair and appropriate discounting.

The West and the Nation depend on an intricate web of aging aqueducts, canals, dams, diversions, drains, laterals, levees, hydroelectric power plants, pipelines, pumps, stormwater channels, water and wastewater treatment plants, weirs and wells. Much of it has deteriorated due to underfunded and deferred maintenance, repair, and replacement. In many cases, projects have exceeded their useful lifespan, raising public health and safety issues, risking loss of life and threatening public and private property. Water-related infrastructure investments ensure our continued ability to conserve, control, manage, protect, store and treat our water resources.

Water infrastructure in the West and the Nation is financed and maintained under a complex system of state, tribal, local, private, and federal ownership, benefitting a broad-spectrum of water users and other stakeholders. Water infrastructure systems require ongoing, thoughtful investments to account for life-cycle costs, and should be managed with planned retirement or replacement in mind. Inconsistent, inadequate, and untimely funding increases project construction and financing costs, as well as risk, including the failure of critical infrastructure. Substantial sustained investment is necessary and pays long-term dividends in terms of the economy, environment, and public health and safety. Existing federal, state and local programs to publicly finance water-related infrastructure projects are crucial, but insufficient. The federal government has a greater role to play in financing and sharing the cost of water infrastructure given federal economic and environmental objectives, federal tribal trust and treaty obligations, other past commitments, and federal regulatory mandates. Greater private investment will also be needed.

In addition, we suggest consideration of the long delay between authorization and construction of water projects due to: (1) inconsistent, incremental, or insufficient appropriations; (2) permitting and licensing backlogs; (3) duplicative environmental reviews; (4) litigation delays; and (5) oversight by multiple federal agencies without adequate interagency coordination. Moreover, current federal budget scoring guidelines assess the full cost of infrastructure investments up front, while disproportionately discounting long-term benefits – sometimes making new federal water project investments challenging to justify financially.

State agency and local water district investments, private capital markets and public-private partnerships, performance-based contracting, and other alternatives may help to close our national water infrastructure financing, delivery, and maintenance gaps, in concert with federal investments. Partnerships have the potential to leverage available resources, reduce overall project development costs and risks

associated with capital investments, expedite project delivery and associated water resource benefits, improve efficiencies and cost effectiveness, and maximize the respective strengths of the public and private sectors.

Infrastructure should be considered to include the collection, analysis and open sharing of reliable data regarding water availability, quality, and usage given its importance to research, sound science and data-driven decision-making, including the planning, design, construction, maintenance and replacement of water projects. All levels of government must prioritize the necessary development and maintenance of water data systems to support water managers' operational decisions through in-situ and remote observations of precipitation (rain and snow, seasonal and subseasonal), land and sea temperatures, wind speed, soil moisture, evapotranspiration, and other parameters critical to understanding and forecasting water supplies and demands, consumptive use, and extreme events, such as drought and floods.

There is no one-size-fits-all approach, but past and pending legislation and related federal financial and technical assistance programs, grants, loans, cost-share programs, credit enhancements and federal-state-local or public-private partnerships will prove beneficial to the timely completion and ongoing maintenance of infrastructure projects at all scales.

We commend federal efforts to address our national infrastructure challenges and look forward to working together, recognizing and reaffirming the traditional role of the States in allocating, managing and protecting our water resources.

Sincerely,

A handwritten signature in black ink that reads "Tony Willardson". The signature is written in a cursive, flowing style.

Tony Willardson
Executive Director