

# Rural Water Issues Advisory [3/4/2019]

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**Special Single Issue Edition: NRWA Clean Water Act Activities**

**House's First Hearing:** NRWA has been invited to testify on Clean Water Act infrastructure issues at the first hearing on these topics this week: "The Clean Water State Revolving Fund: How Federal Infrastructure Investment Can Help Communities Modernize Water Infrastructure and Address Affordability Challenges," Subcommittee on Water Resources and Environment ([March 7 at 10:00 AM](#)). NRWA will be represented by New York Rural Water Association (NYRWA) member and John Mokszycki, Superintendent of Water for the Town of Greenport, New York. Thank you, John and NYRWA, for representing all small and rural communities. John will detail the challenges Greenport has experienced in funding wastewater infrastructure and complying with their Clean Water Act permits, and he will recommend policies to help small communities.

**New Clean Water Act Technical Assistance:** Congress authorized a new Clean Water Act on-site technical assistance initiative, [§4103, "Technical Assistance for Treatment Works,"](#) in the America's Water Infrastructure Act of 2018 (October 23, 2018). Since the Rally in February, many Members of Congress have expressed support for funding of this new initiative and have volunteered to contact the Appropriations Committee on your behalf -- *the Power of an Association*. Any new technical assistance initiatives would be targeted Clean Water Act issues such as: compliance with permits; stormwater rules, TMDL; nonpoint source pollution; and assistance with SRF applications.

**New Farm Bill Source Water Protection Provisions:** The new [Farm Bill](#), signed by President Trump on December 20, 2018, included a new source water protection provision ([§2503\(d\)](#)) to require that 10 percent of conservation funding through the Natural Resources Conservation Service (NRCS) be directed to source water protection. The 10 percent will likely result in approximately \$4 billion of the NRCS funding provided to private landowners including farmers and ranchers over the next 10 years being targeted for source water protection. NRWA is urging the USDA and EPA to implement this new program to correlate community (i.e. local governments') drinking water supply quality, and agricultural and other non-point source reduction practices (i.e. farmers' and land-use actions) that prevent nonpoint source water pollution from agriculture-related land-use activities from impacting drinking water supplies. Delaware and National Rural Water Association board member David Baird is planning on meeting with the EPA and NRCS officials this week to advance NRWA's concepts. Under NRWA's Grassroots Source Water Protection initiative, local governments currently work directly with farmers and other local land-use stakeholders to develop voluntary non-point pollution reduction plans to protect sources of drinking water. EPA and NRCS should expand this approach to demonstrate additional environmental improvement related to drinking water and water quality objectives.

**Watershed Trading In Small and Rural Communities:** In the meetings this week, Baird will be leading NRWA's effort to help small and rural communities that are facing a severe economic burden related to compliance with their wastewater permits affected by TMDL enforcement. The NRWA concept is to allow for permit compliance relief in exchange for implementation of non-point source pollution reduction measures that would result in more environmental benefits to the receiving waters and greatly reduce compliance costs on local communities. This watershed trading concept is not being utilized as a compliance option for small communities facing mandatory and costly TMDL-related centralized treatment upgrades because the EPA has not implemented sufficient trading technical assistance initiative, guidance, and enforcement policies to allow states to approve trading programs as a compliance option.

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National Rural Water Association

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