



March 21, 2017

The Honorable Deb Fischer  
United States Senate  
454 Russell Senate Office  
Washington, DC 20510

The Honorable Ben Cardin  
United States Senate  
509 Hart Senate Office  
Washington, DC 2051

The Honorable Sherrod Brown  
United States Senate  
713 Hart Senate Office  
Washington, DC 20510

Dear Senators Fischer, Cardin, and Brown:

On behalf of the nation's mayors, cities, and counties, we are writing to express our support for your bill the *Water Infrastructure Flexibility Act*, and we urge your colleagues to support it as well. The legislation would codify the U.S. Environmental Protection Agency's (EPA) Integrated Planning and Financial Capability policies as useful tools for local governments to comprehensively deal with wastewater and stormwater investments as well as unfunded mandates.

Local governments are at a crossroads. Cities and counties spend over \$115 billion per year to provide safe and reliable water and sewer services and maintain a vast physical infrastructure of pipes, pumps and plants. While we thank Congress for providing \$2 billion annually to the water and wastewater State Revolving Fund programs, these loans are not enough to cover the estimated costs to maintain and replace our aging infrastructure. Additionally, local governments, our residents, and businesses must spend additional resources to comply with numerous environment and non-environmental federal and state unfunded mandates, which further limits the money available for water infrastructure.

Furthermore, both the state and EPA's enforcement agencies increasingly regulate in a silo. While our cities and counties may be working to meet a multitude of standards in various water and wastewater requirements, the states and EPA often do not collaborate across the policy programs. This often create further, unnecessary unfunded mandates. However, the legislation would address many of these concerns by creating a policy shift that costs no federal money and creates some spending flexibility for our citizens.

Specifically, the bill would allow local governments to work with their state and EPA to prioritize investment in wet weather overflows and flooding collectively, rather than individually, by codifying various EPA memorandums on water tools and affordability. And the bill would allow consideration of other service costs including drinking water. Since our water and wastewater systems are paid for by the ratepayers, the bill will help reduce costs for a substantial number of our low-income citizens who spend a significant portion of their income on water and wastewater bills. The measure would also allow local governments who undertake integrated planning to incorporate green infrastructure

components into municipal stormwater, combined sewer overflow (CSO) and other water plans in a more cost effective way.

Thank you again for your leadership on this issue. On behalf of the nation's cities, counties and mayors, we thank you for your consideration of our request. If you have any questions, please contact us: Carolyn Berndt (NLC) at 202-626-3101 or [Berndt@nlc.org](mailto:Berndt@nlc.org); Julie Ufner (NACo) at 202-942-4269 or [jufner@naco.org](mailto:jufner@naco.org); or Judy Sheahan (USCM) at 202-861-6775 or [jsheahan@usmayors.org](mailto:jsheahan@usmayors.org).

Sincerely,



Tom Cochran  
CEO and Executive Director  
The U.S. Conference of Mayors



Matthew D. Chase  
Executive Director  
National Association of Counties



Clarence E. Anthony  
CEO and Executive Director  
National League of Cities

cc: Members of the Senate