



To: Members of the Senate Natural Resources and Energy Committee
From: Karen Horn, Director, Public Policy and Advocacy
Date: February 27, 2019
Re: S. 96 Draft 2.2, Clean Water Assessment

Thank you for the opportunity to testify regarding regional entities to be responsible for clean water project implementation.

We are concerned that the Secretary would determine the clean water service provider for a basin and that the default would be a regional commission. We agreed with the initial proposal, that a clean water utility or provider would be created by municipalities within a basin, and that the choices be far more flexible than is presented in the current draft. Some municipalities would choose a regional commission. For multiple very good reasons some would not. (page 7, line 10)

We believe that once a clean water service provider is designated, the prioritization and evaluation, implementation and accountability for projects should rest with that entity. The secretary should not continue to approve individual projects or funding for individual projects. We believe such a level of detailed oversight means that nothing more than an additional level of government will have been created. (page 6, line 1)

The draft provides for three types of grants, at least one of which is competitive, giving rise to the expectation that funding for implementation will be insufficient over time. We also urge you to include language that makes clear that Water Quality Restoration Formula Grant dollars may be used for operations and maintenance of projects. (page 10, line 11, 19)

We cannot agree that regional planning commissions would be the sole entities to receive dollars from the Clean Water Fund. (page 14, line 20 and page 18, line 12)

The direction to the Clean Water Fund Board to prioritize projects in the event of insufficient funding presupposes that shortage. (page 16, line 19) Our main concern in this regard is that cities, towns and villages not be left unsupported but heavily regulated when legislative and administrative priorities change.

We suggest that Section 6 be re-written to establish the responsibilities of a clean water service provider, whether or not it ends up being a regional commission. The current draft presumes that regional commissions are the entities that will be clean water service providers.

Thank you for the opportunity to testify.

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