



National League of Cities

STATEMENT OF

**THE HONORABLE KATHLEEN NOVAK
MAYOR, NORTHGLENN, COLORADO**

**BEFORE THE
HOUSE COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE**

**OCTOBER 18, 2007
WASHINGTON, DC**

Statement of
Mayor Kathleen Novak
On behalf of the National League of Cities
Before the House Transportation and Infrastructure Committee
“The 35th Anniversary of the Clean Water Act:
Successes and Future Challenges”
October 18, 2007

Good morning, Mr. Chairman and Members of the Committee. I am Kathie Novak, Mayor of Northglenn, Colorado. I am here today on behalf of the National League of Cities, the oldest and largest organization representing over 19,000 local elected officials in America’s cities and towns. I appreciate the opportunity to present the views of local elected officials on the impact the Clean Water Act has had on the quality of our nation’s waters and the quality of life of the public.

We appreciate the leadership and dedication of this committee in protecting our nations’ water resources. I am honored to be a part of this hearing that celebrates the 35th anniversary of the Clean Water Act.

The Federal Water Pollution Control Act, passed by Congress in 1948, funded state and local water treatment systems and required the establishment of state water quality standards. With states controlling pollution discharge at the local level and the Federal government having control over interstate and coastal waters, little consistency of laws and regulations existed nationwide. Amendments to the law, passed in 1972 and commonly referred to as the Clean Water Act, established a national system for controlling pollution and protecting our nation’s waters.

This national system has served local governments well. Only about a third of the states have any state-level water standards and protections in place, and of those many are substantially weaker than the Clean Water Act requirements. For the most part, state water protection programs have evolved to work along with the federal Clean Water Act, not in place of it. Because rivers and streams frequently cross state lines, protections in one state can be undermined by a lack of protections in a neighboring state. Local governments have benefited from a national system for controlling pollution because water everywhere must meet the same water quality standards; communities downstream from waterways face less pollution caused by communities upstream.

The original law passed in 1972 set rigorous goals for all waters of the U.S. to be “fishable and swimmable” by 1983 and called for there to be “zero discharge” of pollutants into the nation’s waters by 1985. To help states and local governments meet

those requirements, the legislation established a generous federal grant program that provided funding for up to 75 percent of the cost to build wastewater treatment facilities. Indeed, most of this nation's water infrastructure was built in the 1970s. Local governments would not have been able to meet the requirements of the Clean Water Act without this grant program.

Today, the program is known as the Clean Water State Revolving Fund and provides essential money for local governments to assist in modernizing our water infrastructure. As the population has increased by close to 50 percent, and continues to grow, governments at all levels must substantially increase wastewater and drinking water infrastructure funding in order to maintain and improve the quality of our water. Failure to make these necessary investments in our aging water infrastructure will lead to a serious decline in water quality. Unfortunately, the Environmental Protection Agency has estimated that we are falling short on water infrastructure spending by a whopping \$22 billion per year.

Clean water is the backbone of livable communities and modern society. Effective sanitation systems and easy access to clean water support our nation's health and economy. But like other invisible systems, we tend to take them for granted. We turn on our faucet and assume that the water is safe for drinking and bathing. We assume that our lakes, rivers and coastal waters are safe for swimming and fishing. While we live in a country where this is typically the case, it has not always been so. The Clean Water Act is the main reason the nation's waters have shown dramatic improvement in water quality. The law has been instrumental in improving the health of our lakes, rivers and coastal waters by preventing billions of pounds of pollution from entering our waterways. The public knows that safeguards are in place and, for the most part, the waterways in this country are cleaner than they have ever been.

We are now at a crossroad where we must determine the fate of our nation's waters. Will we continue to move forward and make progress cleaning up our waters, or will we let the progress we have achieved over the past 35 years slip away? As beach closings caused by sewage overflows are occurring at the highest rates ever and economically crucial lakes, rivers and coastal areas across the country are being crippled by pollution, it is clear that there is still much work to be done to ensure that all our waters meet the laudable goals of the Clean Water Act.

It is NLC's position that we must not let the progress made under the Clean Water Act be turned back or negated. We must continue to move forward in protecting our nation's waters, a precious resource that is fundamental for life. Our country has been blessed with an abundance of waterways. We owe it to future generations to ensure that they, too, are able to fully enjoy and appreciate clean water.

While the Clean Water Act has resulted in successes in cleaning up point source pollution in waterways, future challenges remain for nonpoint source pollution. Previous Congresses have refused to consider attempts to authorize control over nonpoint source pollution. Unregulated nonpoint source pollution into local communities' watersheds not

only pollutes the water, but passes the costs of remediation on to local governments with responsibility for providing adequate clean water for their communities. In setting the future direction for the Clean Water Act for the next generation, Congress must address this issue and ensure that all pollution sources are considered.

Finally, in order for local governments to maintain the quality of our waterways, critical investments and improvements to our water infrastructure must be made. Local governments cannot and should not bear the costs of these improvements alone, and rate hikes by themselves are insufficient to close the gap between necessary costs and available funds. Over recent years, funding under the Clean Water State Revolving Fund has declined, which means the cost to the entities that do not receive loans are increased dramatically either by having to wait for the next cycle or settling for more expensive funding options.

In 2007, demand for loan funding in Colorado was \$323 million, while loan capacity was \$41 million. Of greater concern is the total statewide wastewater spending need of \$1.4 billion. This lack of funding falls hardest on smaller municipalities, which depend on low interest rates to meet their needs. For cities across the country, the shortfall in affordable funding comes as federal and state regulations and standards continue to grow more stringent.

NLC urges Congress and the Administration to fully fund the Clean Water State Revolving Fund as it provides essential funds for local governments to assist in improving and maintaining the nation's water infrastructure. We thank the Chairman and Members of this Committee in your leadership in passing H.R. 720, the Water Quality Financing Act of 2007, which would authorize \$20 billion in Federal grants over five years for the Clean Water State Revolving Fund.

Thank you for the opportunity to speak on behalf of America's cities and towns. I look forward to your questions.