



**Testimony before the U.S. House of Representatives Committee on Natural Resources
Subcommittee on Water, Power and Oceans**

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The State of the Nation's Water and Power Infrastructure Oversight Hearing

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Introduction and Background on Community Water Center

Chairman Lamborn, Ranking Member Huffman, Members of the Subcommittee, thank you for the opportunity to present testimony as part of this informational hearing.

I am here today to share with you information and our perspectives of the challenges and solutions regarding access to safe drinking water and infrastructure in California, and particularly in California's San Joaquin Valley.

As background, the Community Water Center is an Environmental Justice nonprofit founded in 2006 and headquartered in Visalia, California, in the Southern San Joaquin Valley. The vision of the Community Water Center, or CWC, is to ensure all communities have access to safe, clean, and affordable water. CWC works as a catalyst for community-driven water solutions through organizing, education, and advocacy in California's San Joaquin Valley. We build grassroots capacity to address water challenges in small, rural, low-income communities and communities of color, and also engage on statewide drinking water policy.

I myself am from the San Joaquin Valley -- I grew up in Bakersfield -- so it is a personal privilege to be here before you today.

The Challenge Facing Vulnerable Communities

At CWC, we believe that access to safe drinking water is a basic human right, not a privilege. Yet each year, more than one million Californians are exposed to unsafe drinking water from the taps in their homes, schools, and communities. Although water problems exist statewide, they disproportionately impact low income communities and communities of color.

California's San Joaquin Valley, where we work, is particularly impacted. For example, the San Joaquin Valley has the highest rates of drinking water contamination and the greatest number of public water systems with Maximum Contaminant Level (MCL) violations in the state.

In addition to the acute health risks associated with the Central Valley's water contamination, communities face the disproportionate economic burden that stems from a lack of basic urban water infrastructure. Residents are often forced to pay twice for water, having to purchase bottled water to supplement the unsafe tap water delivered to their homes. These drinking water costs alone can amount to as much as 10% of a household's income. In other words, those most affected by the lack of safe water are also those least able to afford the extra cost of alternative water sources.

Droughts and other water supply stressors only exacerbate the challenge. California has recently emerged from five years of the most severe drought in the state's recorded history. Thousands of wells went dry, which forced communities and residents to turn on old, contaminated backup wells or rely on emergency drinking water supplies like trucked water or bottled water. For a long time, many residents were filling buckets from their neighbors' water hoses in order to have enough water for basic sanitation. And we still have communities and private owners whose wells remain dry years later.

Finally, the communities most impacted by unsafe drinking water were for decades continuously and deliberately excluded from full participation in their local water decision-making governance. And still today there are challenges in ensuring adequate participation by local communities in water governance.

We know through experience that if you give communities a seat at the table, and empower them with the information they need, that they can meaningfully participate in the decision-making process -- and that the solutions that result will better reflect the needs of communities.

Solutions to Secure Safe Drinking Water for Vulnerable Communities

I would like to spend the remainder of my remarks today outlining a few areas of need. Securing safe drinking water for all Californians, and Americans, means we must be clear-eyed about the investments we need to make, and it will require leadership at all levels of Government.

The first is around creating sustainable safe and affordable drinking water solutions for all our communities.

Based on the US EPA's 2013 Drinking Water Infrastructure Needs Survey, California drinking water needs alone are estimated at over \$5.2 billion over the next 20 years for public water systems, and that is only for public water systems with fewer than 3,300 connections. Federal sources of capital funding such as funding that goes to State Revolving Funds are critical. The Drinking Water State Revolving Fund set asides such as those that go to support technical assistance programs have been key to ensuring our most vulnerable communities can adequately access and implement funding for drinking water solutions. However, existing Revolving Fund funding levels are not adequate and need to be expanded given the massive and growing need for capital investments. Set asides that support technical assistance and capacity building are also critical, as is the ability to provide loan forgiveness to small communities.

Another important source of funding has been through the United State Department of Agriculture, such as the Rural Development Water Program and Emergency Community Water Assistance Grants. This program provided important emergency funding for small communities that faced drought-related water shortages during California's historic drought. Such funding should be protected and far more is needed. In addition to the greater levels of funding needed, the definition of "rural" -- which is defined as under 10,000 in population -- is problematic as it leaves out many rural communities that may be marginally over the population limit but that need assistance and should otherwise qualify for these programs.

Other federal agencies should also be engaged in creating sustainable safe and affordable drinking water solutions for all our communities. To give one example, the U.S. Bureau of Reclamation, which delivers millions of acre-feet of water per year to farms and residents, could play a constructive role in making sure we are delivering safe, clean and affordable drinking water to all Americans. It is going to take coordination and engagement across the full breadth of the federal government to ensure we are maximizing every resource we have to meet our country's safe drinking water needs.

While we face a variety of challenges at every level of our drinking water ecosystem, the challenges become greater the smaller in scale you go. For example, there are an estimated 2 million Californians on domestic wells or served by very small drinking water systems, under 15 connections each, in California. These Californians are in most cases not eligible for Federal State Revolving Fund funding due to the definition of a "public water system". By very nature of the fact that these Californians are served by very small systems or by their own private well, they are most vulnerable to water contamination and supply challenges. We must make sure these vulnerable populations are not left behind as funding decisions are made.

An additional serious funding challenge is the lack of available funding to support ongoing operations and maintenance, or "O&M", for drinking water treatment. Federal funding and, at least in California, state sources of funding like bond funding cannot be used to pay for

operations and maintenance costs for drinking water treatment. Consequently, many small public water systems struggle to access bond and federal capital funding because they cannot afford to operate and maintain the new treatment system once construction is complete. In other words, while there is some level of federal and state funding available to help a community afford the capital cost of building a drinking water treatment plant, there are no funding sources available to help a community afford the cost of their drinking water treatment once the lights are turned on. Disadvantaged communities and others with small ratepayer bases that have no outside support to draw upon as a result are either forced to pay exorbitant rates for drinking water or buy bottled water because they cannot afford to operate their drinking water treatment.

We see this challenge replicated across California's San Joaquin Valley. The community of Lanare, a small community in the San Joaquin Valley, offers a textbook example of the need to address the lack of O&M funding. Lanare was successful in securing funding to build a capital drinking water treatment plant but then was unable to afford the ongoing O&M cost, forcing the community to mothball the treatment plant shortly after construction was completed. The plant then sat unused for years -- while still leaving the community on the hook for the capital costs and without a supply of safe drinking water for years afterward.

The California's State Water Resources Control Board has called for the creation of a new sustainable funding source to address this gap in operations and maintenance funding. There are currently efforts underway in the California Legislature to create a new Safe and Affordable Drinking Water Fund to fill in the gaps where existing funding either cannot be used or falls short. But these efforts cannot be a substitute for continued investment from the federal government in programs that provide grants and affordable capital loans to small communities, and we need to expand existing programs and develop new programs and solutions that address the needs of our smallest systems and those on private wells.

The second is around building resilient drinking water institutions, particularly in our small and rural communities.

What do we mean by building resilient drinking water institutions? To us, resilient drinking water institutions are those that have the capacity to provide safe drinking water both now and for the long term, in the face of complex challenges such as resulting from water contamination, over-depletion of groundwater sources, and stressors like climate change and population growth.

There is no silver bullet to building resilient drinking water institutions given that the drinking water challenges we face are dynamic and fluid, not static. Our approach should reflect a multi-pronged strategy in response. Here are a few potential examples.

We need to continue to invest in funding to create drinking water system economies of scale, both physical but also managerial and technical in nature. Where feasible, physical consolidations can increase drinking water supply and limit the risk of catastrophic water supply failure or contamination. Where physical consolidation is not possible, the federal government should work with state and local decision-makers to invest in developing innovative governance

frameworks that are informed by community needs and discussion, as well as deploying innovative technology and managerial solutions.

We need programs that invest in the human capital needed in our rural areas to operate and maintain drinking water systems. It is difficult to recruit and maintain operators with technical expertise in rural areas. We should work with local educational institutions and stakeholders to develop creative programs that build local expertise and then retain that local expertise for the small and rural communities that need it.

We need to ensure that science guides our investment decisions so that we can deploy dollars strategically. Climate change science tells us that droughts are the new normal, and that they will be longer and more extreme in nature. We should respond by overlaying drought and climate vulnerability assessments as part of funding decisions can help ensure dollars invested today can be resilient through tomorrow.

Finally, we need to ensure that both funding processes and the actual programs that result allow for meaningful community engagement, not just a rubber stamp, so that solutions can best reflect their needs.

Conclusion

To reiterate, we believe that access to safe, clean and affordable drinking water is a basic human right. Securing this basic human right for everyone in the United States is within reach if we muster the political will and back it with the needed funding investments. We urge Congress to join with us to ensure that all Californians, and Americans, have access to safe drinking water.

Thank you again for the opportunity to present as part of this hearing, and please do not hesitate to reach out if we can ever be a resource or of assistance.

Thank you.