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March 14, 2019

The Honorable John Garamendi  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Representative Garamendi:

On behalf of the above organizations dedicated to protection of public health and the environment, we write in strong support of your legislation to modernize National Pollutant Discharge Elimination System (NPDES) permit terms under the Clean Water Act. This is a commonsense approach to provide the U.S. Environmental Protection Agency or a delegated state with the discretionary authority to consider providing a permit term of up to ten years to reward those public agencies that have demonstrated compliance with existing permit conditions. We urge expeditious consideration of this legislation and look forward to working with you and your colleagues on the Committee on Transportation & Infrastructure.

Today's water quality needs are becoming more complex as public wastewater agencies continually face new challenges to ensuring improved water quality and a safe and reliable water supply. Meeting these challenges requires innovative approaches. Modern wastewater treatment often involves substantial investment of capital with construction terms that stretch out beyond the existing five-year permit term horizon. In some cases, a project construction timeline for clean water infrastructure can extend more than a decade as public agencies try to meet the requirements of extensive environmental reviews, project design, scheduling, and labor and construction agreements. The current NPDES permit term of five years simply does not align with today's water infrastructure complexities.

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The authority to extend NPDES permit terms up to a fixed period of ten years would better reflect today's clean water infrastructure reality as recently illustrated before the Subcommittee on Water Resources and Environment's hearing into water infrastructure needs. Extending permit terms would:

- Enhance the planning and efficiency of facility permitting;
- Give agencies the necessary time to comply with existing regulatory requirements prior to the imposition of new mandates, allowing agencies to better plan and construct new technologies and facilities; and
- Allows states to direct more resources to stormwater, nonpoint and watershed-based solutions.

At the same time, existing permit reopener provisions would allow for new conditions to be inserted where needed prior to permit expiration and protects the public's involvement in the permitting process.

Thank you again for your support on this important issue that is affecting the nation's public water and wastewater agencies.

Sincerely yours,

Association of California Water Agencies  
California Association of Sanitation Agencies  
National Association of Clean Water Agencies  
National Association of Counties  
National League of Cities  
National Water Resources Association  
U.S. Conference of Mayors  
WaterReuse Association  
Water Environment Federation