



April 4, 2025

Senators Murkowski and Merkley
Senate Appropriations Committee
Subcommittee on Interior, Environment and Other Related Agencies

Via email: int@appro.senate.gov

RE: Written Testimony FY 2026 Fiscal Appropriations

Senators Murkowski and Merkley:

As you begin working on Fiscal Year 2026 Appropriations, the members of the Association of Clean Water Administrators (ACWA) urge you and your colleagues to robustly fund surface water programs funded through Clean Water Act (CWA) §106 State and Tribal Assistance Grants (STAG), the CWA § 319 programs, and the geographic programs like the Chesapeake Bay, the Long Island Sound, and the Gulf Hypoxia Task Force. As the Administration works to reorganize and downsize the federal government, robust appropriations for state programs are even more critical than ever as states consider the most efficient ways to implement the CWA and *Powering the Great American Comeback Initiative*.

ACWA is the independent, nonpartisan, national organization of state, interstate, and territorial water program directors (hereinafter “states”), responsible for the daily implementation of the CWA’s water quality programs. When Congress originally enacted the CWA, and in several updates since, they clearly saw states as cooperative partners with primary responsibility for implementing the CWA. Since 1972, the scope and breadth of state surface water program responsibilities has expanded. State water programs are responsible for the core CWA programs -- sampling and monitoring requirements, analyzing data, developing WQS and establishing water quality criteria for designated uses, developing and implementing TMDLs, drafting NPDES permits, inspecting facilities, documenting violations, taking enforcement where appropriate, and responding to citizen concerns. Over time, new federal expectations regarding the implementation of authorized/delegated programs have increased and may increase further as our federal partners reframe the agency’s role.

While appropriation increases have technically occurred over time since the inception of these programs, a more comprehensive analysis that includes consideration of inflation impacts shows federal funding has barely remained steady. For example, looking at § 106 funding over the last 50 years,

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appropriations have increased from \$10 million in 1971 to \$223 million in 2020. However, when adjusted for inflation the increased appropriations are closer to only \$30 million despite CWA water quality issues facing the states/interstates having become significantly more challenging to address. The states/interstates urge Congressional Appropriators to support federal funding increases for §106, §319, and regional waterbody programs so that states/interstates have the resources they need to meet the obligations of the CWA. This funding is especially critical as the water quality challenges facing states have grown more complex and challenging to address.

Categorical Grant funding to states, interstates, and territories is the most significant federal support for core day-to-day CWA program implementation and state staff capacity building. Additionally, through state matching funds states can leverage federal dollars to support core program implementation and ensuring their programs are poised to support business and industry in their states. However, increasing inflation has reduced the impact of the dollar and forced programs to do more with less. At the same time, inflationary pressures make it hard for states to keep up with the recruitment and retention of key personnel, given the rising cost of living. There is also an increasing need for investment in modern infrastructure like electronic permitting and reporting, and a corresponding need for analysis of growing environmental monitoring data.

As our federal partners work to re-size federal responsibilities and funding obligations, it is critical that states receive the resources they need to implement federal environmental programs pursuant to states' obligations connected with cooperative federalism and cross-agency partnerships. EPA passes through substantial amounts of funding to states without direct benefit to the agency. The funds are allocated to state programs through an established robust, water quality-based formula, ensuring that each dollar sent to states enables the effective implementation of the CWA and states can continue to provide clean water to every American. Efficiency may be realized through the issuance of vehicle-like block grants, sent directly to the states, for funding of state environmental programs. Expedient and adequate funding for state environmental programs is in the national interest, impacts economic development, protects public health, and continues the success achieved under the CWA for more than 50 years.

The reduction or elimination of dedicated funding for states to implement the CWA places an undue financial burden on state agencies. Unfunded mandates will lead to decreased staffing, technical expertise, and increased infrastructure needs straining already limited state budgets. Failure to provide adequate funding for mandated water quality programs threatens the ability of the states to effectively safeguard water resources, protect public health, and meet statutory obligations. To advance the most focused and results-oriented programs possible, funding for state programs is critical.

The CWA Sec. 106 Water Pollution Control Grant Program gives states the flexibility to conduct essential pollution prevention, inspection, monitoring, permitting, and compliance work as a co-regulator with EPA. Regional programs assisting the Great Lakes, Chesapeake Bay, Puget Sound, Long Island Sound, Gulf of America, and Lake Champlain protect some of our nation's most important waters to promote human health, support economic activities, and preserve habitats for wildlife. The CWA Section 319 NPS Management Grant Program supports a wide variety of activities including technical assistance, financial assistance, education, training, technology transfer, demonstration projects and monitoring to assess the success of specific nonpoint source implementation projects. Each of these programs must be fully funded in FY26 and beyond.

In summary, federal support for state programs has been eroded by increased impacts of population, use of waterbodies complexity of water quality challenges, and the realities of inflation. We urge you and your colleagues on the Appropriations Committee to robustly support water programs funded through the § 106 State and Tribal Assistance Grants (STAG), the §319 programs, and the geographic programs like the Chesapeake Bay, the Long Island Sound, and the Gulf Hypoxia Task Force. The states cannot do it alone, so we ask for a strong federal-state partnership through the FY2026 appropriations process. Federal government support for ACWA's work – and states' work – is essential. At a minimum, we request you maintain funding at Fiscal Year 2024 funding levels to address these needs until the administration determines which federal agency resources and responsibilities will remain. Adequately funding state programs is in the national interest, impacts economic development and underpins the successes achieved under the CWA over the last 50+ years.