



May 1, 2020

The Honorable John Barrasso
Chairman
Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Thomas R. Carper
Ranking Member
Committee on Environment and Public Works
456 Dirksen Senate Office Building
Washington, DC 20510

Via email: QFR@epw.senate.gov

Dear Chairman Barrasso and Ranking Member Carper:

The National Water Supply Alliance (NWSA) welcomes the opportunity to review and comment on the Senate Environment and Public Works Committee's draft bill, "America's Water Infrastructure Act of 2020" (EDW20246). NWSA applauds your commitment to maintaining a regular two-year cycle on water infrastructure legislation.

NWSA offers the following comments.

(1) Section 1052 Reviewing Hydropower at Corps of Engineers Facilities

An operational change for the benefit of hydropower should be carefully considered, particularly in regards to impacts on water supply storage at Corps of Engineers reservoirs. Water in and flowing through a reservoir belongs to the state. As such, NWSA recommends that Section 1052 include language that the hydropower interest secure a state water right or otherwise comply with state water allocations and law for the Corps of Engineers to implement an operational change at a reservoir.

(2) Section 1054 Studies of Water Resources Development Projects by non-Federal Interests

NWSA supports the strengthening of flexibility for non-Federal interests to conduct feasibility studies. NWSA further recommends providing this flexibility for conducting reallocation studies.

President, Darren Gore, PE, City of Murfreesboro, TN
Vice President, Dan Buhman, PE, Tarrant Regional Water District
Secretary, Katherine Zitsch, PE, BECC, Atlanta Regional Commission
Treasurer, Glenn Page, PE, Cobb County-Marietta Water Authority
Past President, Earl Lewis, PE, Kansas Water Office

Director, Andrew Dehoff, PE, Susquehanna River Basin Commission
Director, Jennifer Verleger, Esq, PE, State of North Dakota
Director, Brad Brunett, Brazos River Authority
Director, Greg Volkhardt, PE, Tacoma Water
Dave Mitamura, Executive Director

A reallocation study, however, is not a feasibility study and is therefore not currently eligible for this flexibility. NWSA recommends that Section 1054 be further enhanced to explicitly include reallocation studies as an eligible activity under Section 203 of the Water Resources Development Act of 1986.

Thank you for your consideration of NWSA's comments. I am available to discuss in more detail at your convenience. My contact information is below my signature line.

Sincerely,

A handwritten signature in black ink that reads "Dave Mitamura". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

Dave Mitamura
Executive Director
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The National Water Supply Alliance is a national organization formed to advance the interests of water supply providers before the United States Congress and federal agencies whose actions impact water supply storage and projects. Our members include state, regional, and local governments, as well as wholesale water providers and utilities who rely on water supply stored in federal facilities maintained by the U.S. Army Corps of Engineers. NWSA was formed to give water supply providers across the nation a unified voice to advocate for the preservation and enhancement of the nation's water supply, protection of traditional State authorities, and to ensure that water supply interests share equitably in the benefits provided by the U.S. Army Corps of Engineers.

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