

**WESTERN COALITION OF ARID STATES
POSITION STATEMENT ON
TITLE XVI COMPETITIVE GRANT PROGRAM
April 19, 2018**

I. CONSOLIDATED TITLE XVI COMPETITIVE GRANT PROGRAM

II. BRIEF SUMMARY OF THE ISSUE

The *Water Infrastructure Improvements for the Nation Act (WIIN)* (P.L. 114-322) was enacted in 2016 to address water resources infrastructure that is critical to the nation's economic growth, health and competitiveness. A Title XVI grant program was included in the WIIN Act to create a single, competitive program for eligible water recycling and reuse projects. WESTCAS encourages the Bureau of Reclamation to administer the WIIN Act grant funding as part of the Title XVI recycling and reuse project grants.

III. DESCRIPTION OF IMPACTS ON ARID WEST

Since 1992, Title XVI of the *Reclamation Projects Authorization and Adjustment Act* (P.L. 102-575) has provided authority for Reclamation's water recycling and reuse program, focused on identifying and investigating opportunities to reclaim and reuse wastewaters and naturally impaired ground and surface water in the 17 Western States and Hawaii.

The Title XVI program has provided approximately \$672 million in federal funding that has been leveraged with non-federal funding to implement more than \$3.3 billion in water reuse improvements, predominantly in WESTCAS member states. As of 2014, an estimated 378,000 acre-feet of water was recycled through Title XVI projects. Title XVI includes funding for the planning, design, and construction of water recycling and reuse projects, on a project specific basis, in partnership with local government entities. WESTCAS member states have benefitted from the Title XVI program, as shown in Figure 1. The arid states have a critical need for additional reliable water sources that can be provided by water reuse and reclamation.

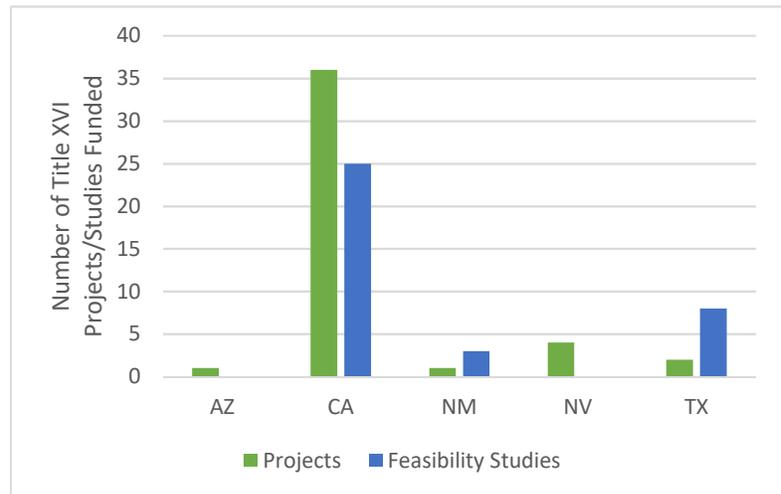


Figure 1 Title XVI in WESTCAS Member States

Under Title XVI, for a technically feasible water recycling or reuse project to be eligible for federal funding through the Bureau of Reclamation, a project-specific Congressional authorization (earmark) was needed. However, since Congress placed a moratorium on “earmarks” in 2011, there have been no new Title XVI projects eligible for funding since that time. There are 29 projects that were authorized by Congress prior to 2011.

To address the Congressional moratorium on earmarks, the WIIN Act addressed water resources infrastructure that is critical to the nation's economic growth, health and competitiveness. It provided a \$50 million authorization for Title XVI by creating a single, competitive grant program for water recycling and reuse projects. The amendments in Section 4009 (c) of Subtitle J of WIIN allows new water recycling projects to be eligible for federal funding. The Bureau of Reclamation is responsible for administering funding provided for water recycling and reuse under Title XVI.

Title XVI projects fall into two different categories: 1. Old Title XVI projects authorized by Congress prior to 2011 (29 projects) and 2. New Title XVI projects deemed eligible under WIIN Act criteria (37 projects in 2017). The number of Old Title XVI projects will not increase and in time, as the Old Title XVI projects are completed, the number of projects will decrease to zero. On the other hand, the number of New Title XVI eligible projects will continue to increase.

Due to the manner in which Title XVI funding was allocated in the Consolidated Appropriations Act of 2017 (FY17 Omnibus), Title XVI is administered by Reclamation as two separate and unequal “competitive” grant programs in 2017. Congress should clarify that the statutory intent of the WIIN Act was to add to and consolidate the funding available to both Old and New Title XVI recycling and reuse projects.

The pooling of WIIN Act and Title XVI funds into a single competitive grant program will increase administrative efficiencies and foster new, progressive, technologically improved projects in water reclamation. The evaluation criteria used to award Title XVI grants should promote technological improvements in reclamation as well as the increase in water supply.

IV. PRIORITIES AND ACTION PLAN

WESTCAS recommends that Congress include language in the final FY 2018 Energy and Water Appropriations measure directing the Bureau of Reclamation to issue one Title XVI grant solicitation whereby both the Congressional authorized and newly eligible Title XVI water recycling and reuse projects compete for funding in as single pool in which every eligible project competes fairly for all appropriated funds.

WESTCAS further recommends that the evaluation criteria be submitted for public review and comment.