

# RURAL matters



The magazine of the Rural Community Assistance Partnership

2013  
Issue 3

*In this issue:*

How to navigate  
public-private  
partnerships

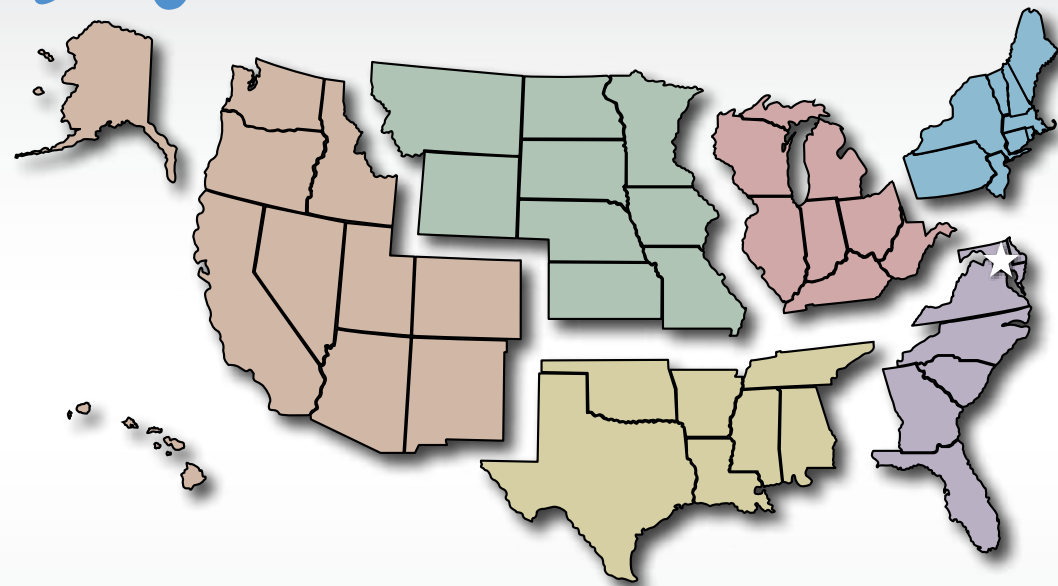
Solid waste  
solutions  
for rural  
communities




# Need help with your community's water or wastewater system?

The Rural Community Assistance Partnership (RCAP) is a national network of nonprofit organizations working to ensure that rural and small communities throughout the United States have access to safe drinking water and sanitary wastewater disposal. The six regional RCAPs provide a variety of programs to accomplish this goal, such as direct training and technical assistance, leveraging millions of dollars to assist communities develop and improve their water and wastewater systems.

If you are seeking assistance in your community, contact the office for the RCAP region that your state is in, according to the map below. Work in individual communities is coordinated by these regional offices.



 Puerto Rico  
(Northeast RCAP)

**Western RCAP**  
**Rural Community Assistance Corporation**  
3120 Freeboard Drive, Suite 201  
West Sacramento, CA 95691  
(916) 447-2854  
[www.rcac.org](http://www.rcac.org)

**Midwest RCAP**  
**Midwest Assistance Program**  
303 N. Market St., Suite 2  
Maryville, MO 64468  
(660) 562-2575  
[www.map-inc.org](http://www.map-inc.org)

**Southern RCAP**  
**Community Resource Group**  
3 East Colt Square Drive  
Fayetteville, AR 72703  
(479) 443-2700  
[www.crg.org](http://www.crg.org)

**Northeast RCAP**  
**RCAP Solutions**  
P.O. Box 159  
205 School Street  
Gardner, MA 01440  
(800) 488-1969  
[www.rcapsolutions.org](http://www.rcapsolutions.org)

**Great Lakes RCAP**  
**WSOS Community Action Commission**  
P.O. Box 590  
219 S. Front St., 2nd Floor  
Fremont, OH 43420  
(800) 775-9767  
[www.glracap.org](http://www.glracap.org)

**Southeast RCAP**  
**Southeast Rural Community Assistance Project**  
347 Campbell Ave. SW  
Roanoke, VA 24016  
(866) 928-3731  
[www.southeastrcap.org](http://www.southeastrcap.org)

★ **RCAP National Office** ★  
1701 K Street NW, Suite 700 • Washington, DC 20006  
(202) 408-1273 • (800) 321-7227  
[www.rcap.org](http://www.rcap.org)

# RURAL matters

The magazine of the Rural Community Assistance Partnership

2013  
Issue 3

 Like us on Facebook  
[facebook.com/RCAPInc](https://facebook.com/RCAPInc)

## features



## departments

Director's Letter	5
Rural Developments	6

*Photo by Adam DuBrowa, courtesy FEMA*

**Poll of rural voters: Politicians ignore us, fail to invest in rural communities** 10

**Entering into a public-private partnership for operations and maintenance? Here are five pitfalls to avoid** 12

**Getting 'SMART' about solid waste in the Southeast** 14

**RCAP produces new videos for small, rural communities** 17



# Practical solutions for improving rural communities

Photo by Stephen Padre

## RURAL matters

The magazine of the Rural Community Assistance Partnership

*Rural Matters*® (ISSN 1097-7619) is a publication of the Rural Community Assistance Partnership, Inc.

1701 K Street NW, Suite 700; Washington, DC 20006

Tel: (202) 408-1273 Fax: (202) 408-8165

[www.rcap.org](http://www.rcap.org)

Subscription/editorial/advertising inquiries: [ruralmatters@rcap.org](mailto:ruralmatters@rcap.org)

### PUBLISHER

Robert Stewart, RCAP Executive Director

### MANAGING EDITOR

Stephen H. Padre, Director of Communications

### EDITORIAL AND DESIGN SERVICES

Lauri Murphy Logan

### CONTRIBUTING WRITERS

Justin Floyd

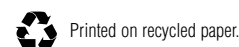
Michael H. Novac

Rachel Silver

Pat Walker

Larry Wallace

Cover photo by Stephen H. Padre



Publication of *Rural Matters*® is funded in part by the U.S. Department of Agriculture, the U.S. Environmental Protection Agency and the U.S. Department of Health and Human Services.

Opinions and ideas expressed in *Rural Matters*® are those of the authors and do not necessarily reflect those of the Rural Community Assistance Partnership, Inc., its affiliates, officers, or directors.

© 2013 Rural Community Assistance Partnership, Inc. All rights reserved. *Rural Matters*® and the Rural Matters logo are trademarks of the Rural Community Assistance Partnership, Inc.



### RCAP BOARD OF DIRECTORS

**Karen Koller, President**  
RCAP Solutions

**Hope Cupit, Vice President**  
Southeast Rural Community Assistance Project

**Niel Ritchie, Secretary/Treasurer**  
League of Rural Voters

**Stan Keasling**  
Rural Community Assistance Corporation

**Michael Brownfield**  
Midwest Assistance Program

**Chris Galvin**  
Great Lakes RCAP

**John Squires**  
Community Resource Group

**Stanley Cothren**  
Professional Engineer

**Suzanne Crawford**  
Maine Fulbright Association

**Michael Taylor**  
Louisiana Land Trust

**Anish Jantrania**  
NCS Wastewater Solutions

### RCAP NATIONAL STAFF

**Robert Stewart**  
Executive Director

**Joy Barrett**  
Director of Training and Technical Services

**David Clark**  
Director of Environmental Programs

**Eleanor Lloyd**  
Director of Finance

**Ari Neumann**  
Director of Policy Development and Applied Research

**Stephen Padre**  
Director of Communications

RCAP is an EEO provider and employer.



On occasion I am able to escape our nation's capital and visit with RCAP staff and project communities in rural areas in one of the states or territories. Having worked directly with small communities for many years earlier in my career, my field travel now gives me the opportunity to re-connect with the fine folks who work in small communities and for rural utilities. It also allows me to learn about the latest issues being addressed by our field staff and the solutions they are working through.

In July, I visited several communities in New Mexico accompanied by Olga Morales, who works for the western RCAP, the Rural Community Assistance Corporation (RCAC). One place we visited was the Lower Rio Grande Public Water Works Authority (LRGPWWA), located in southern Dona Ana County. This is a regional entity that was formed through a special statute passed by the New Mexico legislature in 2009. The LRGPWWA originally brought together five individual water utilities serving eight communities but has now expanded to include three additional systems with a total of 14 communities served.

Sitting down with the authority's board president, Marty Nieto, and the general manager, Martin Lopez, I was impressed with the amount of effort that went into the formation of this utility and the many successes achieved over the last four years. Along with the expected benefits of economy of scale in serving a larger number of customers, LRGPWWA has improved water quality by abandoning wells with high arsenic concentrations, increased reliability through interconnections, provided fire flow capacity, adopted comprehensive capital improvement plans, secured funding for improvements, and increased the overall financial, managerial and technical capacity of the system. Not satisfied with their notable achievements to date, the board and staff also are looking at other opportunities for their communities in areas such as affordable housing and economic development. There is a prime example of how a dedicated group of residents can work together to put aside strictly local concerns to develop a vibrant, successful and thriving regional service entity.

RCAP's Morales provided invaluable assistance throughout this process, including developing appropriate legislation, financial plans and rate analysis, asset-management plans, personnel plans, and a variety of other activities that eased the transition for all concerned. Although there are various incentives for regionalization projects, what strikes me is the success of this project even with the combined difficulties of providing affordable service for low-income residents, combining multiple systems, having to get legislative approval, serving dispersed populations, and addressing water-quality and quantity issues. Too often regional service provision is discounted as being unworkable due to a variety of parochial concerns.


However, there are multiple opportunities for providing better services at affordable costs through regionalized approaches. Full consolidation is not necessarily the only or best approach in all situations. Even something as simple as sharing services (e.g., operators, meter readers, billing and accounting functions, purchasing) can be an effective cost-reduction strategy that perhaps leads later to more formal consolidation or joint service-provision approaches.

RCAP understands the importance of regionalized approaches for water and wastewater service delivery in rural areas. As part of our strategic plan, we are committed to facilitating these alternative approaches in all states. For far too long, there has been plenty of discussion concerning the merits of such an approach with too little being accomplished. Now is the time for communities, regulators, funders, water associations, technical assistance providers (such as RCAP) and other rural advocates and organizations to take action to find ways that work best to provide these vital water and wastewater services to rural residents.

# ruraldevelopments



## News and resources from the US Environmental Protection Agency



### EPA WaterSense

**WaterSense can help customers understand their water bills**

A new tool from WaterSense, a program of the EPA and its various partners, is a section on its website that helps water customers have a better understanding of their bills. It offers a breakdown of some of the most common billing structures, descriptions of units used, and usage trends to make a bill easier to understand.

Share this site with your customers as a resource for becoming more informed residents: [www.epa.gov/watersense/our\\_water/understanding\\_your\\_bill.html](http://www.epa.gov/watersense/our_water/understanding_your_bill.html)

### EPA proposes rule to modernize Clean Water Act reporting

**E-reporting initiative will increase efficiency, ease burden for states and improve public access to data**

WASHINGTON (EPA)—The EPA has proposed a rule that would modern-

ize Clean Water Act (CWA) reporting processes for hundreds of thousands of municipalities, industries, and other facilities by converting to an electronic data reporting system. The proposed e-reporting rule would make facility-specific information, such as inspection and enforcement history, pollutant monitoring results, and other data required by permits accessible to the public through EPA's website.

EPA estimates that, once the rule is fully implemented, the 46 states and the Virgin Island Territory that are authorized to administer the National Pollutant Discharge Elimination System (NPDES) program will collectively save approximately \$29 million each year as a result of switching from paper to electronic reporting.

"In addition to dramatically cutting costs for states and other regulatory authorities, the e-reporting rule will substantially expand transparency by making it easier for everyone to quickly access critical data on pollution that may be affecting communities," said Cynthia Giles, assistant administrator for EPA's Office of Enforcement and Compliance Assurance. "The e-reporting rule will also allow states and other regulatory authorities to focus limited resources on the most serious water-quality problems, which will lead to increased compliance, improved water quality, and a level playing field for the regulated community."

Currently, facilities subject to reporting requirements submit data in paper form to states and other regulatory authorities, where the information must be manually entered into data systems. Through the e-reporting rule, these facilities will electronically report their data directly to the appropriate regulatory authority. EPA expects that the e-reporting rule will lead to more comprehensive and complete data on pollution sources, quicker availability of the data for use, and increased accessibility and transparency of the data to the public.

The CWA requires that municipal, industrial or commercial facilities that discharge wastewater directly into waters of the United States obtain a permit. The NPDES program requires that permitted facilities monitor and report data on pollutant discharges and take other actions to ensure discharges do not affect human health or the environment.

Most facilities subject to reporting requirements will be required to start submitting data electronically one year following the effective date of the final rule. Facilities with limited access to the Internet will have the option of one additional year to come into compliance with the new rule. EPA will work closely with states to provide support to develop or enhance state electronic reporting capabilities.

EPA has already scheduled several webinars in an effort to help states, trade organizations, and other interested parties better understand the details and requirements of the proposed rule. Over the next few months, EPA expects to schedule additional webinar sessions.

The proposed rule will be available for review and public comment until Oct. 28.

View the proposed rule in the Federal Register: <https://www.federalregister.gov/articles/2013/07/30/2013-17551/npdes-electronic-reporting-rule>

More information on webinars: <http://www2.epa.gov/compliance/proposed-mpdes-electronic-reporting-rule>

### EPA software helps reduce water pollution as part of president's Climate Action Plan

**National stormwater calculator helps manage stormwater runoff**

WASHINGTON (EPA)—As part of President Obama's Climate Action Plan, the EPA released on July 24 the National Stormwater Calculator, an innovative addition to the administration's virtual climate-resilience toolkit. EPA's new calculator will help property owners, developers, landscapers, and urban planners make informed land-use decisions to protect local waterways from pollution caused by stormwater runoff. Preventing stormwater runoff, which can impact drinking water resources and local ecosystems, protects people's health and the environment.

The calculator, which is phase I of the Stormwater Calculator and Climate Assessment Tool package announced in the president's Climate Action Plan in June, is a desktop application that estimates the annual amount of stormwater runoff from a specific site, based on local

soil conditions, slope, land cover, and historical rainfall records. Users can enter any U.S. location and select different scenarios to learn how specific green infrastructure changes, including inexpensive changes like rain barrels and rain gardens, can prevent pollution. This information helps users determine how adding green infrastructure can be one of the most cost-effective ways to reduce stormwater runoff.

"EPA's research is providing innovative solutions to protect our nation's water resources," said Lek Kadeli, principal deputy assistant administrator for EPA's Office of Research and Development. "The Stormwater Calculator demonstrates different types of green infrastructure approaches which can result in protection from flooding, energy savings, improved air quality, increased property values, healthier communities, and cost savings for the American people."

Each year billions of gallons of raw sewage, trash, household chemicals, and urban runoff flow into our streams, rivers and lakes. Polluted stormwater runoff can

adversely affect plants, animals, and people. It also adversely affects our economy – from closed beaches to decreased fishing and hunting in polluted areas. Green infrastructure is an affordable solution to promote healthy waters and support sustainable communities.

An update to the Stormwater Calculator, which will include the ability to link to several future climate scenarios, will be released by the end of 2013. Climate projections indicate that heavy precipitation events are very likely to become more frequent as the climate changes.

More information about the National Stormwater Calculator: [www.epa.gov/nrmrl/wswrd/wq/models/swc/](http://www.epa.gov/nrmrl/wswrd/wq/models/swc/)

More information about the virtual climate resilience toolkit: [www.whitehouse.gov/sites/default/files/image/president27climateactionplan.pdf](http://www.whitehouse.gov/sites/default/files/image/president27climateactionplan.pdf)

More information on EPA's Green Infrastructure research: <http://water.epa.gov/infrastructure/greeninfrastructure/index.cfm>

*continued on next page*



# Other news and resources

## Wasting food equals wasting water, says new study

One out of every four calories produced by the global agricultural system is being lost or wasted, according to new analysis. Reducing this waste, says a paper released in June, would not only address the serious problem of hunger, but would also result in major savings in water use.

Released on World Environment Day (WED), June 4, which carried the theme “Think.Eat.Save - Reduce Your Foodprint,” the new working paper, “Reducing Food Loss and Waste,” shows that more than half of the food lost and wasted in Europe, the United States, Canada, and Australia occurs close to the fork—at the consumption stage.

“Reducing Food Loss and Waste” was produced by the World Resources Institute (WRI) and the United Nations Environment Programme (UNEP), and draws on research from the Food and Agriculture Organization of the United Nations (FAO).

According to the study, halving current rates of food loss and waste would result in major savings in water use, energy, pesticides and fertilizers, and would be a boost for global food security.

“It is an extraordinary fact that in the 21st century, close to 25 per cent of all the calories linked with growing and producing food are lost or wasted between the farm and the fork—food that could feed the hungry, food that has required energy, water and soils in a world of increasing natural-resource scarcities and envi-

ronmental concerns including climate change,” said Achim Steiner, UN Under-Secretary General and UNEP Executive Director.

The study showcases simple, low-cost solutions for reducing food loss and waste that are already delivering significant environmental and economic benefits to communities around the globe. Replicating and expanding these initiatives could significantly reduce the 1.3 billion tons of food lost or discarded worldwide each year, and make major improvements to global resource efficiency.

The report shows, for example, that water used to produce lost or wasted food globally each year could fill 70 million Olympic-sized swimming pools.

The report features a case study from the United States. To reduce portion sizes and therefore the amount of food thrown away each day in their cafeterias, some universities have discontinued the use of trays and introduced “pay by weight” schemes and other incentives. One university found that after going “trayless,” it discarded almost 13 metric tons less food than in previous years, and conserved over 100,000 litres of water annually. Financial savings amounted to \$79,000 per year.

“Reducing Food Loss and Waste” is available at [www.wri.org](http://www.wri.org) and [www.unep.org](http://www.unep.org)

## National Geographic’s water footprint

National Geographic has a fun and interactive Water Footprint Calculator, a section on its website for determining your household’s water use with tips for reducing it. The website invites visitors to “take a water tour with us through your home, yard, diet, energy, and consumer choices” at <http://environment.nationalgeographic.com/environment/freshwater/change-the-course/water-footprint-calculator/>

The site also invites visitors to record their pledge to cut their water footprint and help return more water to rivers, lakes, wetlands, underground aquifers, and freshwater species.

## Water Blues Green Solutions

Water Blues, Green Solutions is a public-service project that combines the power of film, radio and educational outreach resources to encourage education and awareness of “green infrastructure” to tackle the most pressing water infrastructure challenges in the United States.

The ultimate goal of the project, which is coordinated by Penn State Public Media, is an informed citizenry that can intelligently assess and influence policy and practice.

The project has these components:

### Integrated education and outreach:

A nationally distributed documentary (see the trailer at [www.waterblues.org](http://www.waterblues.org)) integrated with online and community outreach resources.

### On-line resources:

- **Website:** an interactive website at [www.waterblues.org](http://www.waterblues.org) to help visitors identify and solve water issues in their city or town
- **Social media feeds:** Facebook, Twitter, Storify, and Pinterest
- **Story catalog:** a library of visual assets and stories broadly available for use by educators, advocates, and the interested public

### Community activation to increase water literacy and empower water advocates in communities across the country:

- **Local reporting initiative:** small grants to public radio stations for local

reporting on green infrastructure problems and solutions

- **Water action toolkit:** an online resource for hands-on community activation

### K-12 and higher education learning modules:

The short-story design allows media incorporation into K-12 curriculum, as well as credit and non-credit courses in water, landscape architecture, civil engineering, and other disciplines.

The full documentary will be released through PBS stations in early 2014.

## Report details benefits of ‘daylighting’ streams

With many miles of streams buried underground across the country, American Rivers has released a report, “Daylighting Streams: Breathing Life into Urban Streams and Communities” to highlight the benefits of revitalizing urban streams.

Founded in 1973, American Rivers is an organization working to protect and restore the nation’s rivers and streams.

The report shows how daylighting streams—freeing them from underground pipes and restoring them aboveground—improves water quality, creates parks and open space, and revitalizes communities. The report is timely because many city planners, commissioners, and advocates are looking for cost-effective ways to improve community livability, control polluted runoff, and mitigate flooding.

In cities across America, streams have been paved over and buried in culverts, pipes, or ditches. This has caused a variety of impacts including increased localized flooding, increased water pollution, and decreased recreational potential.

The report covers a range of topics, including:

- The benefits of healthy streams
- How development impacts small streams
- Using stream daylighting for multiple benefits including improving water quality, mitigating flooding, and revitalizing communities
- Potential policy changes that could improve protection of small streams or restore small streams through daylighting
- Funding mechanisms for communities interested in implementing a daylighting project

The report includes case studies of communities that have implemented daylighting projects.

Read the report: [www.AmericanRivers.org/DaylightingReport](http://www.AmericanRivers.org/DaylightingReport)

## New report looks at water stress and climate variability

A new report issued by the Columbia University Water Center, in conjunction with Veolia Water and Growing Blue, raises an additional concern to add to future projections of water scarcity.

“America’s Water Risk: Water Stress and Climate Variability” shows that decision-makers need to be thinking beyond the problems of water scarcity to the way drought will affect regions that are already facing problems. “Droughts will create an additional impact that needs to be understood, because drought magnifies the effects of scarcity,” said Upmanu Lall, Director of the Columbia University Water Center.

“To properly diagnose water risk, one needs to examine both existing demand and variations in renewable water supply

at an appropriate spatial resolution and unit. A metric that can inform the potential severity of a shortage is the accumulated deficit between demand and supply at a location,” says the report, which provides ways to estimate this risk and maps it for the United States at a county level.

Full report: [http://growingblue.com/wp-content/uploads/2013/05/GB\\_CWC\\_whitepaper\\_climate-water-stress\\_final.pdf](http://growingblue.com/wp-content/uploads/2013/05/GB_CWC_whitepaper_climate-water-stress_final.pdf)

## Persistent-poverty counties are mostly nonmetro, generally Southern, USDA research arm finds

An important dimension of poverty is time. An area that has a high level of poverty this year, but not next year, is likely better off than an area that has a high level of poverty in both years. To shed light on this aspect of poverty, the Economic Research Service (ERS) of the U.S. Department of Agriculture has defined counties as being persistently poor if 20 percent or more of their populations were living in poverty over the last 30 years (measured by the 1980, 1990, and 2000 decennial censuses and the 2007-11 American Community Survey).

Using this definition, ERS has determined that there were 353 persistently poor counties in the United States. The large majority (301) of them were nonmetro and exhibited a strong regional pattern.

There are no nonmetro persistent-poverty counties in the Northeast, 29 nonmetro persistent-poverty counties in the Midwest, and 20 in the West. The remaining 252 nonmetro persistent-poverty counties are in the South, comprising just over 26 percent of the total Southern nonmetro population.

This information can be found in the Atlas of Rural and Small-Town America at [www.ers.usda.gov/data-products/atlas-of-rural-and-small-town-america.aspx](http://www.ers.usda.gov/data-products/atlas-of-rural-and-small-town-america.aspx) ■

# Poll of rural voters: Politicians ignore us, fail to invest in rural communities

A recent poll shows that rural Americans believe that elected officials ignore small communities and fail to invest in their future.

The poll was on the role of federal policy in creating economic opportunity for rural people and a future for their communities. The poll was conducted by a bipartisan polling team from Lake Research Partners and The Tarrance Group and released June 25 by the Center for Rural Affairs of Lyons, Neb. It surveyed rural voters in the Great Plains, Midwest and Southeast.

Among the survey's specific findings was that eight in ten support grants and loans to revitalize small towns through upgrades to water and sewer systems and investments in roads and bridges.

The poll found rural Americans united in their commitment to their way of life. Nearly 9 in 10 believe the rural and small-town way of life is worth fighting for. "But they sadly believe the rural way of life may be fading and they want to stop it, reverse it, and revitalize rural America, said pollsters Celinda Lake and Ed Goeas. "And they believe they are being ignored by politicians and government and blame them for the state of the rural economy."



USDA photo by Bob Nichols



USDA photo by Bob Nichols

Nevertheless, the poll found divided views about the role of government and populist views about the economy and big institutions.

Three-fourths agree that America's future is weakened by a widening gap between the rich and families struggling to make ends meet. But they split evenly on whether it's time for government play a stronger role in strengthening rural communities and making the economy work for the average person in rural and small-town America or whether "turning to big government to solve our problems will do more harm than good."

"Neither the conservative nor progressive ideological perspective has it right," said Lake. "On the one hand, the language around lower taxes, smaller government, and fewer regulations is one of the highest testing messages. On the other, they support policies that call for more job training, increased infrastructure investments, more technology, and better preschool – all requiring a role for government in making things better."

Goeas said, "It is too simplistic to believe rural America is anti-government and that there is nothing for progressives to say, nor is it possible to say that rural America wants bigger government and more spending. They want tax breaks, but they also support increased loans and grants to help people gain skills and open small businesses. They want more efficient and effective government and view much of public policy as a fairness issue in which rural America has not received fair treatment."

Also among the results:

- Over half said that "owning my own business or farm is a big part of the American dream for me," and most agreed with helping small business through less government (cutting taxes, spending and regulation) and strengthened government (loans, tax credits, training and antitrust enforcement).
- Three-fourths support tax credits and investment in new transmission lines for development of wind, solar and other renewable electric generation in rural areas.

- Six in ten say government has some or a lot of responsibility to help the working poor advance economically (versus a little or none).

Rural Americans are frustrated that the economy has grown stagnant, feel they have too little control over their own economic situation and feel worse-off now than four years ago, said Lake. "But rural Americans are somewhat optimistic that things will get better," said Goeas, "and younger rural Americans are most optimistic."

The former executive director of the Center for Rural Affairs, Chuck Hassebrook, said the optimism of the upcoming generation reflects the new entrepreneurial opportunities in rural America and growing appreciation for the rural way of life. "They get it," said Hassebrook, "and that gives them the capacity to lead their communities to a better future."

"Politically," said Hassebrook, "the poll reveals openings for candidates of either party willing to fight for federal policy that supports genuine opportunity for rural people and a better future for their communities."

He pointed to the question asking voters whether they would find it convincing if a U.S. Senate candidate made certain statements. Eighty-seven percent said they would find it convincing for a Senate candidate to say: "Small-town America is a big and important part of what makes America go. We are hard-working, patriotic, faithful, and skilled. Making sure our families, our small business owners, and our workers have the same chance as everyone else is fair and smart. That means supporting policies like investing more in helping our small businesses get started and bringing technology to our areas so we can be connected to the new economy."

View the report and polling data at [www.cfra.org/news/130625/rural-poll-released-today](http://www.cfra.org/news/130625/rural-poll-released-today) ■

# Entering into a public-private partnership for operations and maintenance?

## Here are five pitfalls to avoid

by Michael H. Novac

The vast majority of water-treatment utilities in the United States are owned and operated by public-sector organizations—cities, towns, regional water districts, and other local government entities. In recent years, many of these entities have turned to the private sector to either assist in the operations and maintenance of their water utility or to completely manage these systems with the governmental entity retaining ownership.

When establishing these partnerships, there are a number of issues to be considered during the process of drawing up the service agreement. Public-private water partnerships are most successful when both parties are willing to cooperate during the process of developing a contract agreement.

The following article discusses some of the pitfalls to avoid when developing a service agreement with a private entity:

### 1. Scope of services

An important factor in developing a successful water-utility partnership is avoiding confusion and miscues during the process of developing a scope of services. The utility may take either a flexible or prescriptive approach in the management and operations of the water utility. Cost should be considered during this process, realizing that the more prescriptive an agreement is the more it may cost.

Another issue to consider while developing the scope of services is whether your state has enabling legislation that allows for long-term facility contract operations.

Regardless of the approach, the scope of work should clearly require performance parameters that must be met. Allowing the private partner the flexibility to choose cost-effective alternatives that meet performance criteria is an excellent way to assure a cost-effective approach to managing the utility's performance.

### 2. Performance criteria

Performance criteria should be clear and establish the level of performance required to meet both quality standards and quantity needs. The entity making the proposal needs to be aware of all current conditions and be provided with a list of events that would be considered

uncontrollable for which performance measures would be relaxed.

For example, the water sector requires adherence to standards set by the federal Safe Drinking Water Act and additional state regulations. Fines and penalties may be assessed for failure to meet these compliance standards.

Which party pays these fines and assessments will depend upon whether the system was capable of compliance or if the non-compliance was the result of the partner failing to provide contractual services. Measurable performance criteria also make it easier to measure and assess management performance.

### 3. Risk assessment

It is imperative that the utility reveals to the service partner any "as-is" risks that are currently in evidence and that may impact the performance of the utility. Discussions between the utility and the service partner should also address on-going or future capital-improvement plans and the responsibilities of implementing those plans. It may be reasonable to shift certain risks to the private partner after a specified period of time or to institute a grace period after which the private partner becomes responsible for capital improvements.

In systems that currently need repairs, the parties may initiate a work metric that requires the private partner to initiate and complete a pre-determined number of repairs. In-depth assessments of the utility's facilities and procedures are an excellent starting point for the discussion with service providers prior to discussing contractual responsibilities assigned to each party.

### 4. Contract duration, terms and termination

There are a number of options available to the public partner in regard to the length of a contract. Contracts may vary from

one to five years with automatic or negotiated extensions. Systems that require extensive repairs or capital improvements may see contract lengths of 20 years or more.

Longer contracts allow for better planning and budgeting for capital improvements, lower lifecycle costs, and an enhanced risk profile without shifting the risk to the private partnership. Private partners are more willing to invest their own capital if contract lengths are extended. This enables the utility to access capital through the private partner and its balance sheets.

There are concerns for the public utility with regard to performance level drops by private partners over extended contract periods, but these concerns can be mitigated by a well-drafted contract. A well-drafted contract will give the private partner ample incentive to perform and the public partner options for enforcing performance or terminating the contract.

The most general categories of termination contained in contract provisions for water utilities are:

1. **Termination for cause:** Entails failure of the private partner to satisfy system performance standards, bonding and insurance or regulatory regulations.
2. **Termination for convenience:** Termination for causes other than poor performance in which the private partner may seek compensation.
3. **Termination for extraordinary situations:** Situations that may increase contractual costs that exceed a pre-determined amount. An example would be the increase of service fees due to uncontrollable circumstances that exceeds the typical yearly contractor escalator.

### 5. Bonding and insurance

Insurance and bonding requirements are extremely important aspects of suc-

cessful public-private partnerships. It is important to clearly specify bonding and insurance requirements during contract negotiations. Insurance requirements should include liability (both general and automotive) workers compensation, and property coverage. A waiver of subrogation is a reasonable contract request and allows for the relinquishment by an insurer of the right to collect from another party for damages paid on behalf of the insured.

Performance bonds as a surety for operation and maintenance performance will provide an additional incentive to meet contract requirements.

### Summary

The responsibility for ensuring water services does not end once a private-sector operator assumes the operations and maintenance responsibilities. The public entity needs to continue to monitor and oversee, to the extent possible, the operations and performance of the contract operator and remain accountable to the ratepayers and customers. Monthly operational and maintenance reports should be required of the operator and submitted to the public entity or contract manager, if one is assigned.

Ground rules on how any disputes will be resolved should be established at the onset of the contract to manage areas of uncertainty when unplanned events occur or issues arise that were not previously contemplated, agreed to or discussed in the contract.

Overall, successful public-private service partnerships depend on clearly defined rights and responsibilities of both entities and diligent oversight by the public entity. ■

*Novac is a Senior Rural Development Specialist with Indiana RCAP, which is part of Great Lakes RCAP.*



Photo by Scott Strahley, Ohio RCAP



FEMA photo by Rosanna Avias

# Getting 'SMART' about solid waste in the Southeast

By Pat Walker, Rachel Silver, Justin Floyd and Larry Wallace



Solid waste is more than just household garbage. It includes vehicle tires, electronic equipment, batteries, refrigerators, construction and demolition debris, cardboard, metal, household hazardous waste and typical food-related garbage. In rural areas, where there is generally no curbside pickup of solid waste and convenience centers may be miles away, these items can accumulate and become a major health and environmental threat.

Skills, Maintenance and Assistance to Reduce Threats to water resources—SMART for short—is the name of a solid-waste program initiated Oct. 1, 2012, by Southeast Rural Community Assistance Project, the Southeast RCAP.

Southeast RCAP has an extensive and successful history of assisting rural areas in the Eastern seaboard states from Delaware to Florida with drinking water and wastewater issues. The goal of Southeast RCAP is to add solid-waste management, education and assistance in rural communities to its array of programs. With a grant provided by the U.S. Department of Agriculture Rural Development Utilities Program, Southeast RCAP hopes to reduce or eliminate solid waste-related pollution that affects water resources by evaluating the current conditions in solid waste-management facilities in certain persistent-poverty counties in its region.

This initial program involves providing assistance to a total of 18 counties—12 in South Carolina, four in Florida and two in Virginia. Each county is considered a separate project even though many of the counties have multiple solid-waste facilities. These may include municipal solid-waste landfills, construction and demolition debris landfills, land-clearing debris landfills, solid-waste transfer stations, recycling centers, and composting facilities. A total of 32 facilities were identified and are currently being evaluated and assisted for actual and potential threats to water resources through the SMART program.

Even though the SMART program is relatively new, there have been some initial opportunities and successes through which Southeast RCAP has learned about issues and concerns related to solid-waste management.

One of the first hurdles the Technical Assistance Providers (TAPs) encountered was when county and local officials first heard them mention “solid waste.” They assumed the TAPs were referring to wastewater because of Southeast RCAP’s history of working with that. Once the officials understood the TAPs were talking about household garbage, construction and demolition debris, and recycling, the officials began talking at length about problems with cover and odors at landfills; open dumping; under-utilization or over-capacity at municipal solid-waste transfer stations; costs of staffing recycling centers; managing large volumes of electronics waste; and providing compost to the public. And then the officials learned that Southeast RCAP could provide services related to these challenges.

## South Carolina

In South Carolina, electronics waste was banned from landfills in 2011, and counties have been required to establish covered collection sites for these waste streams. Managing the large volume of electronics waste has created problems throughout the state, but they are especially acute in rural areas. It became obvious very soon after the collection facilities began to open that many residents in rural areas had been saving their electronics waste.

Southeast RCAP is providing assistance with this problem in several different ways:

- planning the retrofit of an unused, enclosed transfer station for the collection and storage of electronics waste for packaging and shipping
- finding grants to assist with construction of covered collection centers
- identifying alternative private contractors to pick up electronics waste
- evaluating how other states are managing electronics waste

continued on next page



Justin Floyd, an RCAP Technical Assistance Provider, with a generator fueled by vegetable oil in Alachua County, Fla.



A well-used solid-waste transfer station needing to be upgraded to better manage standing water and garbage leachate.



A new groundwater monitoring well placed next to a wetland area in South Carolina to monitor groundwater flow from an adjacent landfill.



A construction and demolition debris landfill in rural South Carolina.

Above photos courtesy of SERCAP





FEMA photo by Adam DuBrowa

continued from previous page

Other types of assistance being provided through the SMART program include:

- one-on-one training for landfill operators on landfill cover practices and alternatives
- assisting with the development of operating plans for municipal solid-waste transfer stations and construction and demolition-debris landfills
- providing comments on the effective location of groundwater monitoring wells
- improving the rate of decomposition at composting facilities

Each county has similar solid-waste management issues to resolve but also unique circumstances to address.

## Florida

The TAPs in Florida have been working with four counties that were chosen for assistance under the 2012-2013 SMART contract. All four counties have clean, organized, functional recycling centers available to county residents who do not have curbside pickup. However, the locations seem to be under-utilized with total recycling rates ranging from 13 percent to 33 percent.

Southeast RCAP plans to work with county school boards and county solid-waste departments to provide education in schools on the importance of recycling. Southeast RCAP is targeting schools in rural communities within each of these four counties. By educating elementary-school students, Southeast RCAP believes they can be a catalyst for their parents to recycle more and consequently use the recycling centers more. Southeast RCAP has also partnered with the University of Florida School

of Forest Resources and Conservation, which will provide education majors to assist in this goal.

The outcome will be measurable. Southeast RCAP will compare the total recycling rate among grant-funded years and non-funded years to determine if the education impacted the rate.

## Virginia

In Virginia, Southeast RCAP has started working with Lee County to initiate a review of its solid-waste program with the goal of helping to assess the impacts on surface-water quality of facilities and operations. The county does not have an active landfill but operates a transfer facility in Jonesville, which sends waste to a regional solid-waste facility in Bristol. The county has 14 convenience centers that are staffed part-time. During Southeast RCAP's initial meetings, the operations of the centers were discussed in addition to their overall recycling efforts. The TAP is now scheduling an on-site visit to review all permits and complete field evaluations of their facilities.

While much remains to be accomplished in the SMART program, Southeast RCAP is excited for the opportunity to assist rural communities with their array of solid-waste needs. Southeast RCAP is dedicated to incorporating solid-waste technical assistance into its existing water and wastewater assistance programs and is keen to provide that assistance on a project-by-project basis. ■

*Walker (South Carolina), Silver (Florida), Floyd (Florida) and Wallace (Virginia) are Technical Assistance Providers with Southeast RCAP.*

# RCAP produces new videos for small, rural communities



## “Preparing Your Wastewater System for Disasters and Emergencies”

A disaster or emergency can hit anywhere, anytime. Treating wastewater protects the health of your community's residents and the environment, and a disaster or emergency could disrupt treatment and put the health of your community and/or environment in jeopardy. So it pays to be prepared so you can continue or resume treatment in your system to the best of your ability in a bad situation.

This video identifies some of the many ways that systems should prepare themselves for disasters and emergencies, whether they originate inside or outside the system.

Federal law requires any utility serving more than 3,300 people to complete a vulnerability assessment and emergency-response plan. Some states and federal funders also require these for smaller systems.

(While this video is aimed at wastewater systems, many parts of it also apply to drinking water systems.)

[www.rcap.org/emmerresponse](http://www.rcap.org/emmerresponse)

## “Small On-Site Wastewater Treatment Systems”

In some rural and suburban areas, everyone uses decentralized systems. Even in communities with sewers and a centralized treatment facility, there are often areas the sewer does not reach and where homes or businesses are on septic systems. Nationwide, about one-fourth of all households and about one-third of all new-house construction rely on on-site systems to treat household wastewater. If a community wants to manage all of its wastewater, it is necessary to address both centralized and decentralized systems.

This video is for small, rural communities that are looking for wastewater treatment options. Small, on-site treatment systems are an innovative way to treat water. They come in a variety of types and are often found in housing subdivisions, schools and small commercial centers. They have advantages for a variety of

continued on next page

RCAP has produced six new short videos on a variety of topics to assist small, rural communities in managing their water and wastewater systems.

Most videos are aimed at the members of the board of directors or governing body or key decision-makers of their community's water utility, and most videos address topics in the area of wastewater treatment. However, other groups, such as customers, housing developers, staff of water systems, and those who work with drinking water systems, will find some topics the videos address relevant.

The videos range from 4 to 9 minutes in length and are available online. Links to all videos are at [www.rcap.org/newresources](http://www.rcap.org/newresources). The following article provides titles, descriptions, and links to individual RCAP videos.

situations, especially for locations that are distant from or isolated from centralized sewer systems.

This video addresses these aspects of small, on-site treatment systems:

- what they take to operate
- what they take to maintain
- their advantages
- who might need one
- overview of types

[www.rcap.org/smallonsitetreatment](http://www.rcap.org/smallonsitetreatment)

### “Energy Efficiency at Wastewater Treatment Facilities”

Are your community’s utility costs rising faster than revenues? Are you afraid or unwilling to raise your rates? How would you like to cut your utility’s energy bills by 10 to 40 percent or more?

Facts:

- 30 to 60 percent of a municipality’s energy budget is spent on the treatment of water and wastewater.
- According to the U.S. Dept. of Energy, energy audits typically identify potential savings to the user of 10 to 40 percent, with 20 percent being the average.
- Over the next 15 years, the cost of electricity is expected to increase by 20 percent.

This video presents opportunities for saving on energy costs in a wastewater system (many opportunities in the video also apply to drinking water facilities). The video helps system leaders find and start implementing ways to make energy use at their facilities more efficient.

[www.rcap.org/energyefficiency](http://www.rcap.org/energyefficiency)

### “Wastewater Collection Systems: More Than Meets the Eye”

Owners of a community’s wastewater system—the board or other governing body—have overall responsibility for the entire wastewater treatment system, including the collection system. A collection system can be quite extensive, covering your whole community to its farthest reaches. It can also be just as expensive as the wastewater treatment plant itself. With so much ground to cover and so many places to service, a collection system has its own set of needs—for maintenance, for proper use, for everyday care by your operator and for oversight by the owner.

This video helps owners of centralized wastewater systems understand what a collection system entails and what is involved in having and maintaining it.

This video can also help residents of communities understand this key part of a treatment system, the part that is closest to them. There are parts of the collection system on their own property and all around them in their community.

[www.rcap.org/collectsystem](http://www.rcap.org/collectsystem)

### “The Importance of an Operator in a Community’s Water Systems”

Water and wastewater operators provide one of the most valuable services to Americans. Water is treated to high standards and delivered to our homes, schools, and businesses in order to protect our health. Wastewater is treated according to strict standards before returning it to the environment in order to protect the environment and the public’s health.

This video was produced to help leaders and decision-makers of water and wastewater systems understand what they need in an operator and what an operator does on a daily basis. It can help viewers understand how to support and equip operators with the skills and financial resources to do their job and help the operator keep the community’s system running well. The video includes interviews with operators who talk about the skills they use in their jobs and how they got into the field.

This video can also be shown to encourage people to enter the water and wastewater operations field, including high school and college students. It helps potential workers understand what it takes to be an operator and what training/schooling is required.

[www.rcap.org/operatorvideo](http://www.rcap.org/operatorvideo)

### “Your Role as a Customer in Your Community’s Wastewater System”

A wastewater treatment system is out of sight, out of mind for most people, but each of us uses it multiple times a day. If your community has a centralized treatment system (a plant that treats everybody’s wastewater), it is one of the most expensive assets that your community owns.

This video helps customers know and understand a little bit about the treatment system and is meant to encourage customers to respect the system from its starting point in their homes so that the whole system can work properly and last for a long time.

[www.rcap.org/customervideo](http://www.rcap.org/customervideo) ■

The videos in this series are hosted by field staff of the RCAP network, who also provided technical expertise on the topics. The videos were produced as part of a grant from the U.S. Environmental Protection Agency to enable RCAP to work with wastewater systems in small, rural communities.

A related set of videos, produced last year, explains the steps in the treatment of drinking water and wastewater. Those videos are part of an interactive section of the RCAP website at [www.rcap.org/dwwwntreatment](http://www.rcap.org/dwwwntreatment).

Other organizations are welcome to share the videos by embedding them on their own websites or through other communications materials they produce.



## RURAL matters is going digital!

In an effort to reduce postage costs and respect the environment by having to print fewer copies of the magazine to mail, *Rural Matters* is now officially offering an electronic-only subscription. When you sign up, you will be sent an email with a preview of each new issue’s contents, and you will be able to click through to read the article or the full issue online at [www.rcap.org](http://www.rcap.org)

To change your subscription to an all-electronic delivery, please provide your current mailing information (so we know what postal address to remove from our mailing list) and your email address at [www.rcap.org/RMmailtoemail](http://www.rcap.org/RMmailtoemail)

Your subscription will then be converted to email-only.

## Subscribe today!

Please start my free subscription to *Rural Matters*!

Name: \_\_\_\_\_

Title (optional): \_\_\_\_\_

Organization (optional): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-mail address (optional): \_\_\_\_\_

To start your free subscription, send us your email or mailing address:

➔ on the Contact Us page at [www.rcap.org](http://www.rcap.org)

➔ by e-mail at [ruralmatters@rcap.org](mailto:ruralmatters@rcap.org)

➔ by completing and mailing this coupon to:  
Rural Matters  
1701 K Street NW  
Suite 700  
Washington, DC 20006

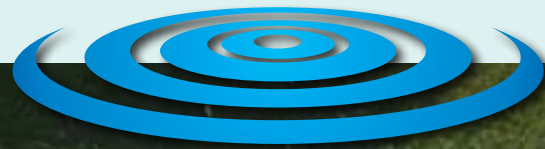


1701 K Street NW  
Suite 700  
Washington, DC 20006

PRSRT STD  
U.S. Postage  
**Paid**  
Permit No. 382  
Dulles, VA

# a drop of KNOWLEDGE

RCAP's email newsletter



**This is why  
clean water  
is so important.**

**Get the newsletter  
that helps you  
provide it.**

The residents of your community depend on receiving a reliable supply of clean, safe water. You as a leader of your water system want to provide water that is safe enough for your own family.

To help you in this vital function for your community, the Rural Community Assistance Partnership provides a free electronic newsletter – A Drop of Knowledge

Each issue is delivered to your email inbox every month and provides practical information for operating or managing your water system – not too much to be overwhelming, but just enough to make a difference.

To subscribe, visit  
[www.rcap.org/DoKsubscribe](http://www.rcap.org/DoKsubscribe)