

NEWS

Can Federal Funds Clear Up Local Water Problems?

Water quality is worst in marginalized communities

BY LINA FISHER, FRI., SEPT. 15, 2023

[Tweet](#)

[print](#)

[write a letter](#)



Poor water quality is more closely related to social vulnerabilities – including race and the population density of a community – than income, a new study finds (Image via Getty Images)

Richard Franklin has lived in **Austin's Colony**, an unincorporated community in Austin's **extraterritorial jurisdiction** (ETJ) east of town near Hornsby Bend, for 22 years. In that span, he's replaced his dishwasher four times. He did work on his sink recently, and the pipe connections came apart in his hands. "The water quality has always been terrible," he says. "It ruins the plumbing. It ruins everything. The water's hardness is

at the point where it eats away at your skin. If you don't have a water softener, you suffer all the time. Our dog chokes on it."

Because Austin's Colony is outside **Austin Water's** service area, its water comes from **Texas Water Utilities**, a subsidiary of the investor-owned **SouthWest Water Company**, which is not subject to Council oversight the way a city-owned utility is. Though **residents have complained** of **water quality issues** for decades, they are outside the jurisdiction of the city of Austin, and Travis County commissioners have long told them they won't get involved. According to a national tap water **database** – which uses data from the **Texas Commission on Environmental Quality** and the **Environmental Protection Agency** – Austin's Colony's water was technically in compliance with federal drinking water standards when last tested in 2021. However, Environmental Working Group stresses, "legal does not necessarily equal safe," and 13 contaminants found exceeded EWG's health guidelines. (Tim Williford, an executive at Texas Water Utilities, says that it is "not an uncommon practice for activists to use scare tactics," and refers to EWG's guidelines as "made-up standards.")

Austin's Colony's water issues are not unique: About 10% of community water systems in the country report health-based violations. A **Texas A&M** study published in August found that low-income and historically underrepresented communities in the Hill Country are also most likely to live in areas with high flood risk, aquifer decline, and drinking water violations.

The water issues also put a cost burden on residents of an already low-income area. Franklin says the cost just to turn on the tap for SouthWest is around \$120 per month. A spokesperson for SouthWest Water says the base rate for drinking and waste water, without any usage, is \$92. On top of his utility bills, Franklin and his wife rely on a drinking water delivery service for around \$40 a month. So all told, Franklin spends around \$200 a month on water – and there's no elected official to appeal to about the cost. Generally, unincorporated areas in the ETJ can apply for a service extension request from Austin

“It ruins the plumbing. It ruins everything. The water’s hardness is at the point where it eats away at your skin.”

– Richard Franklin, Austin’s Colony resident

Water; but SouthWest Water holds exclusive rights to service Austin's Colony under the Texas Water Code. So instead, residents of Austin's Colony have long sought incorporation to the city of Austin – in 2012, they took it all the way to City Council, but it failed. To incorporate, 50 **registered voters**/residents must sign a petition, but Franklin says, "It was quite a lot of footwork ... we're still having those conversations." Now, angered by how easily their neighbor the **Tesla Gigafactory** was able to obtain Austin Water service, local environmental justice organization PODER, along with Hornsby Bend and Austin's Colony residents, are **petitioning** city and county leaders to use federal and state funds to improve service to their homes.

There are a lot of federal funds available to address these issues. Texas has already started to receive its \$2.9 billion share of the federal **Infrastructure Investment and Jobs Act** funds, which are meant to improve

water infrastructure over the next five years. The IIJA requires states to distribute at least 49% of that money as forgivable loans to disadvantaged communities. And there's a lot of investment left from that pool; in 2023 the Texas Water Development Board will distribute roughly two times the IIJA funds it did in 2021 and 2022.

The state's criteria for defining a "disadvantaged community" is largely based on median household income – the service area's must be less than 75% of the state's – but a new **UT-Austin study** funded by the Environmental Protection Agency shows that income may not be the best determining factor in predicting who is suffering the most from water quality issues. Researchers compared how median income matched up with water quality violations reported during 2018-2020 across the U.S. and compared that with a social vulnerability index that took 15 factors into account. They found that those vulnerabilities, such as areas with vacant housing, low population density, and a high disability rate, had a much higher correlation with poor water quality than median income did.

When TWDB decides where to send these IIJA funds, "they should look at a number of different parameters and see which ones apply best for them," says lead researcher on the study Bridget Scanlon. "This can then aid in coming up with lasting solutions that community water systems need to fix these issues."

A SouthWest Water representative adds that low-income customers can apply for assistance through the federal Low Income Household Water Assistance Program (LIHWAP). Customers who don't qualify for federal assistance may qualify for help through **Water Assist**, a program by Texas Water Utilities.

Editor's note Sept. 15, 11am: *This story has been updated to include responses from a SouthWest Water spokesperson.*

Got something to say? The Chronicle welcomes opinion pieces on any topic from the community. Submit yours now at [austinchronicle.com/opinion](https://www.austinchronicle.com/opinion).

A note to readers: Bold and uncensored, *The Austin Chronicle* has been Austin's independent news source for over 40 years, expressing the community's political and environmental concerns and supporting its active cultural scene. Now more than ever, we need your support to continue supplying Austin with independent, free press. If real news is important to you, please consider making a donation of \$5, \$10 or whatever you can afford, to help keep our journalism on stands.

SUPPORT THE CHRONICLE →

READ MORE

MORE BY **LINA FISHER**