



A SHARED AGENDA FOR CLEAN WATER IN NEW YORK STATE

To ensure that current and future generations can rely on abundant, clean, and affordable water resources in New York, a broad, diverse network of organizations began convening in 2017 to discuss water protection and restoration in New York State. This unprecedented collaboration of organizations includes water suppliers, wastewater treatment operators, environmental organizations, environmental justice organizations, construction contractors, and other water stakeholders.

This network, called the **New York Clean Water Coalition**, works collaboratively to develop a shared agenda for funding, policies, and actions needed to protect clean water in New York State. The items listed are not exhaustive of the policies the organizations are supporting; however, the items listed reflect the top shared clean water priorities for 2023.



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NYS Clean Water

Priorities for 2023

MAKE SIGNIFICANT AND EQUITABLE INVESTMENTS IN CLEAN, AFFORDABLE WATER

- **Provide at least \$1 billion for the Clean Water Infrastructure Act:** Investments made under the Clean Water Infrastructure Act (CWIA)—approximately \$4.5 billion appropriated since 2017—are yielding significant results for our environment, health and economy. For every \$1 million in state investment in this program, 17 local jobs are being created or supported. However, we still have much work to do to address NY’s drinking water and wastewater infrastructure needs, which is estimated at \$80 billion over 20 years. This massive, yet conservative estimate does not include other significant clean water needs in New York, including treating drinking water for emerging contaminants, drinking water source protection, lead service line replacement, harmful algal bloom response and prevention, climate resilient infrastructure, and more.

Continued state investments in the CWIA, coupled with an influx of new federal dollars from the bipartisan infrastructure bill, provides New York State with a once-in-a-generation opportunity to tackle longstanding and emerging threats to clean water in our state. **We urge the Governor and legislature to provide at least \$1 billion for the CWIA in the final SFY 2023-24 budget.**

- **Provide Local Governments with Annual Funding for Operations and Management (O&M) for Drinking Water, Stormwater, and Wastewater Infrastructure:** Providing reliable and consistent funding to all local governments for water infrastructure (similar to the current Consolidated

Local Street and Highway Improvement Program (CHIPS) program) will allow municipalities to maintain water systems more effectively, rather than paying a much higher environmental and economic cost of reacting to and fixing major water infrastructure failures, which is the current and unsustainable practice. **Resources provided for O&M would serve as a valuable supplement to major capital investments, not a replacement, given the massive backlog of water infrastructure capital projects needed across the state.**

- **Support Water Bill Fairness:** Stormwater runoff is one of the leading causes of pollution to our waters. Managing stormwater is critical to protecting our environment and reducing flooding; however, it is critical that localities do so in a way that is fair to ratepayers while generating enough revenue to implement stormwater runoff solutions, including green infrastructure. **We urge the Governor and the legislature to affirm that localities can decouple the costs of stormwater management from potable water usage and impose a stormwater runoff fee.** 800 cities in the United States, including Philadelphia and Baltimore, take this approach to stormwater management. This cures the imbalance faced in communities by ensuring that properties with large impervious areas, but little potable water usage, pay their fair share to maintain sewer systems and stormwater infrastructure.
- **Septic System Replacement Across New York State:** The NYS Septic Replacement Program, under the CWIA, has been a resounding success in regions like Suffolk County on Long Island, which should

continue. However, allocations are not meeting the need in the Adirondacks, Finger Lakes, Southern Tier, Hudson Valley, and other areas across the state with significant concentrations of failing septic systems along critical water bodies. ***We urge the Governor and legislature to support an increase in funding to eligible counties to assist homeowners with grants across the state to replace failing septic systems with advanced septic systems that reduce pollution and protect the health of local aquifers, lakes, rivers and streams.*** Furthermore, eligibility requirements for receiving support under the program should be adjusted to not only include water bodies that are impaired but also water bodies that are known to having failing septic systems and could become impaired as a result. This would allow more counties and water bodies in them to be eligible. This would expand the funding to allow the prevention of contamination rather than only providing a remedy after degradation has occurred and have been documented.

INCREASE TRANSPARENCY WITH CLEAN WATER FUNDING

- **Provide Annual Reporting on State and Federal Clean Water Funding Spending:** More than \$4.5 billion has been invested in the NYS Clean Water Infrastructure Act since 2017, yet too little is known about how and where those resources were spent. To ensure that clean water investments are being spent efficiently, equitably, and with maximum environmental and public health benefit, it is important to provide transparency on a full picture of how state and federal money is spent on an annual basis. With billions of additional dollars coming from the federal bipartisan infrastructure bill over the next five years, there is increased urgency to establish greater transparency. ***We urge state agencies to develop a system for routine annual public accounting of state and federal investments in clean water infrastructure.***
- **Publish Updated Reports on Wastewater and Drinking Water Infrastructure Needs:** In 2008, the DEC and DOH issued reports indicating that there was an estimated need of approximately \$80 billion to upgrade wastewater and drinking water infrastructure over 20 years in New York State. This information is now outdated, and furthermore, it is also a very conservative estimate that does not consider many important clean water infrastructure needs, such as treating drinking water for emerging contaminants and lead pipe replacement. ***We urge New York State to issue updated reports on***

wastewater and drinking water infrastructure needs in New York State. The reports should use the most recent data from the Clean Watershed Needs Survey, Drinking Water Infrastructure Needs Survey, and additional information to provide a more comprehensive look at New York's clean water needs, including, but not limited to treating drinking water for emerging contaminants, drinking water source protection, lead service line replacement, climate resilient infrastructure, and more.

PROTECT DRINKING WATER FROM EMERGING CONTAMINANTS

- **Private Well Testing & Treatment:** There are 1.1 million private wells in New York State, serving nearly four million residents. Failure to test these wells for emerging contaminants (e.g. PFOA, PFOS, and 1,4-dioxane, which are already being tested for in public water supplies of all sizes due to the threat they pose to public health) and other toxic chemicals puts New Yorkers at risk. ***New York State should provide additional resources to allow more households to test private wells for harmful contaminants that threaten their health, as well as resources to treat well water when harmful contaminants are detected or funds to for homes to connect to a public water supply if available.***

INCREASE AGENCY STAFFING, TECHNICAL ASSISTANCE, AND CAPACITY

- **Increase Agency Staff that Support Clean Water:** New York's state agencies are working to implement growing mandates, including the Climate Leadership and Community Protection Act and Clean Water Infrastructure Act, while continuing to provide critical permitting, public safety, and enforcement services on day-to-day basis. Despite the significant increase in responsibilities, staff levels are far lower than they were decades ago. Agencies cannot do more with less; they are doing less with less. Staff levels at key agencies should be increased in order to fulfill existing responsibilities and to prevent missed opportunities to leverage an expected influx of new federal dollars. ***We urge the Governor and legislature to reinvest in our state environmental and public health agencies by increasing staffing levels thereby putting them on the path to restoration to their 2008 levels, including:***
 - **NYS Department of Environmental Conservation:** In order to tackle our most pressing water pollution issues, it is imperative that the NYS DEC have the staffing to properly

enforce the rules and regulations that protect our ground and surface waters, to implement their many responsibilities under the Clean Water Infrastructure Act, and to provide technical assistance to communities in need. The DEC Division of Water has significantly fewer staff today than 25 years ago, despite increased mandates and clean water challenges.

- o **Department of Health:** The NYSDOH Bureau of Public Water Supply Protection has an equally vital role in drinking water public health protection. Sufficient staffing is needed to oversee existing MCLs, establish new drinking water MCLs for emerging contaminants, and to provide technical assistance and engineering reviews to support community investments in local infrastructure. Furthermore, as more communities discover emerging contaminants that exceed notification levels or MCLs, water suppliers and local governments are ill-equipped to communicate health risks to the public. It is crucial that clear health risk communication is provided by DOH for water suppliers' dissemination to their communities.
- o **Environmental Facilities Corporation:** There is a need to increase staffing levels at NYSEFC to ensure grants and applications are reviewed and monies awarded in a timely manner.

- **Drinking Water Infrastructure Engineering Planning Grants:** There is an urgent need to expand grant limitations to support engineering planning studies for drinking water infrastructure projects. This is already in place for wastewater projects, and is a resounding success, particularly for smaller, cash-strapped municipalities that lack the staff and capacity to conduct planning themselves. ***We urge New York State to provide at least \$2 million for drinking water infrastructure engineering planning grants in SFY 2023-24.***
- **Expand Capacity to Test Water for Emerging Contaminants:** Currently, municipal samples for emerging contaminants, such as PFAS, are sent to laboratories certified through DOH's Environmental Laboratory Approval Program (ELAP). As New York regulates more emerging contaminants to protect drinking water from new threats and to comply with new regulations, existing backlogs and delays at ELAP labs are expected to worsen, and additional resources are needed to ensure laboratories have sufficient capacity to handle increased testing. To ensure timely results for testing water for emerging contaminants and to protect public health, ***we urge the Governor and legislature to invest in expanding capacity to test for emerging contaminants in New York State.***

ENDORISING ORGANIZATIONS:

Citizens Campaign for the Environment

Long Island Water Conference

New York Rural Water Association

New York Section American

Water Works Association

New York Water Environment Association

Environmental Advocates NY

Earthjustice

Scenic Hudson, Inc.

The Nature Conservancy New York

Sierra Club Atlantic Chapter

Buffalo Niagara Waterkeeper

Riverkeeper

Natural Resources Defense Council

New York League of Conservation Voters

Audubon New York

Adirondack Council

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