


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, government agencies, environmental organizations, environmental justice organizations, academia, 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 2022.

CITIZENS
CAMPAIGN



Phone: (516) 390-7150

Email: farmingdale@citizenscampaign.org

www.citizenscampaign.org

225A Main Street Farmingdale, NY 11735

NYS Clean Water

Priorities for 2022

\$1 BILLION FOR CLEAN WATER

INFRASTRUCTURE: Investments made under the Clean Water Infrastructure Act (CWIA)—approximately \$4 billion appropriated since 2017—are yielding significant results for our environment, our health and our 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.

New York has been appropriating approximately \$1 billion annually in the CWIA since 2019. Continued state investments in the CWIA, coupled with a likely influx of new federal dollars for clean water infrastructure, 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 2022-23 budget.***

HIGHLIGHTING SPECIFIC CLEAN WATER NEEDS

IN NEW YORK: CWIA programs, such as the Water Infrastructure Improvement Act (WIIA), are resulting in upgraded and safer water infrastructure in NY. The coalition has now identified specific areas of need for clean water that require new or additional (including programs under the CWIA) funding:

- **Septic System Replacement and Improvement:** The NYS Septic Replacement Program, under the CWIA, has designated a total of \$150 million over the past several years, but NYS has only allocated \$30 million to counties for program implementation. While the program

has been a resounding success in regions like Suffolk County on Long Island, allocations for the rest of the state are not meeting the need. For example, this year Essex and Warren counties in the Adirondacks were only allocated several hundred thousand dollars, while applications exceeded those funds by 2-3 times the allotment. This need will only grow as more communities across the state put programs in place to address this issue.

Whether in the Adirondacks, Finger Lakes, Southern Tier, Hudson Valley, or other areas with significant concentrations of septic systems along critical water bodies, existing funds must be distributed and new funds must be appropriated to meet this growing need and assist homeowners with failing systems to protect local aquifers, lakes, rivers and streams. In addition to failing systems, New York should prioritize septic system upgrades that will remove pollutants in environmentally sensitive areas that don't have centralized collection and treatment systems. State funding for septic replacement should require those monies be used to fund systems that provide pollution reduction, as is being done and should expand in Suffolk County.

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 2022-23.

- **Operations and Management (O&M) for Drinking Water, Stormwater, and Wastewater Infrastructure:** Providing ongoing funding to all local governments 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.

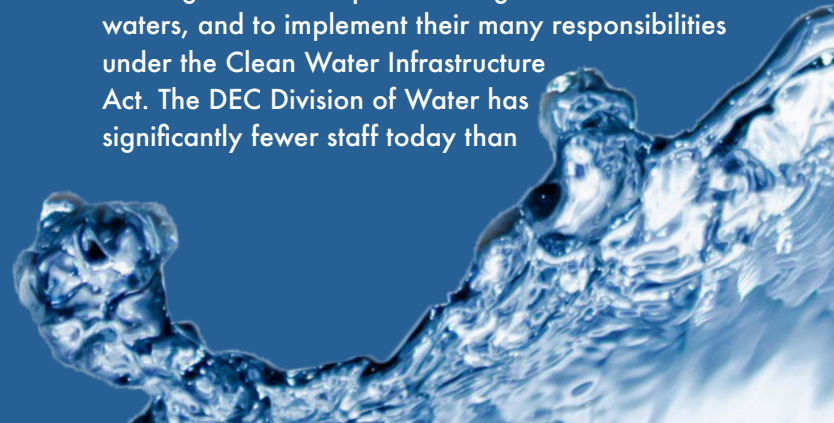
- **Technical Assistance for Local Governments:** Often, local governments lack the resources and expertise to be able to access state funds for clean water infrastructure, such as the funding offered through the NYS Environmental Facilities Corporation (EFC). This is particularly true for smaller, rural communities that lack capacity and staff to do the planning and applications locally. New York State should provide resources to help local governments with the technical support needed to access EFC funds.
- **Lead Service Line Replacement:** There are approximately 360,000 lead pipes providing drinking water to New Yorkers statewide. There is no safe level of exposure to lead, especially for our children. New York's lead service line program has set aside approximately \$30 million to replace about 2,000 lead pipes so far—this is some progress, but much more work remains. In order to protect public health, and to ensure compliance with the requirements of the EPA's upcoming revised lead and copper rule, additional state resources should be provided to leverage federal funding for lead pipe replacement.
- **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.

INCREASE THE ENVIRONMENTAL BOND ACT TO \$4 BILLION: The coalition supports renaming the bond act to reflect the positive benefits it would provide to clean air, clean water, and job creation, as well as increasing the bond act investment from \$3 billion to \$4 billion, as proposed by Governor Hochul. A \$4 billion bond act would provide much-needed funding to protect and restore water resources across our state, while making communities more resilient to climate

change and supporting job creation and sustainable economic development.

\$500 MILLION FOR THE ENVIRONMENTAL PROTECTION FUND (EPF): Since 1993, the EPF has been essential to New York's environment and economy. The EPF supports multiple programs that protect clean water, including wastewater treatment upgrades, nature-based green infrastructure solutions, source water protection, pollution prevention, improved climate resiliency, and more. This program supports 350,000 jobs across the state, and EPF-supported industries generate approximately \$40 billion in economic activity every year. Many of these programs have years-long waiting lists or backlogs for funding. Increasing funding to \$500 million in SFY 2022-23 now would address those backlogs and allow for strategic program expansions to address needs throughout the state.

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, and to implement their many responsibilities under the Clean Water Infrastructure Act. The DEC Division of Water has significantly fewer staff today than
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25 years ago, despite increased mandates and clean water challenges.

- **Department of Health:** The NYSDOH Bureau of Public Water Supply Protection has an equally vital role in drinking water public health protection. Sufficient funding is needed to support staff that can oversee new drinking water MCL's for 1,4-dioxane, PFOA, and PFOS. Furthermore, the Emerging Contaminant Monitoring Act (ECMA) requires the DOH to publish its own lists of emerging contaminants that every water utility across the state, regardless of size, is required to test for. DOH is also tasked with setting notification levels so the public is directly informed if elevated levels of emerging contaminants are discovered in their drinking water. DOH needs additional staffing to fulfill these responsibilities and protect public health.

PROTECT FRESHWATER WETLANDS: Independent of size, wetlands play an integral role in protecting water quality, absorbing floodwaters, and supporting wildlife. Acting like filters, wetlands play a critical role in protecting the sources of our drinking water, by absorbing pesticides, nitrogen, phosphorus, and other contaminants.

Currently, state law limits the NYS DEC to regulate mapped wetlands 12.4 acres or larger, which are on an approved map. Most of these maps have not been updated in decades, making them incomplete, and the amendment process can be lengthy and burdensome in administrative costs. There are hundreds of thousands of acres of wetlands in high development areas of New York that are not on official maps and are left completely unprotected. Proposed legislation (S.5116C / A.7850) would remove the jurisdictional barriers that these maps have created and allow DEC to immediately protect and regulate wetlands 12.4 acres or larger if they meet the basic scientific definition of these critical habitat areas. According to the DEC, this would increase state protected wetlands (12.4 acres or larger) by an estimated 1 million acres that were never officially mapped. This bill would also expand the Departments authority over smaller wetlands of unusual importance, which includes class I wetlands and class II wetlands that possess valuable characteristics such as being effective for community flood water control, within an urban area, possessing rare plant or animal species, or important to maintaining clean drinking water.

Endorsing Organizations:

Citizens Campaign for the Environment
Adirondack Council
Environmental Advocates NY
Riverkeeper
The Nature Conservancy New York
Natural Resources Defense Council
New York League of Conservation Voters
New York Section of the American Water Works Association
New York Water Environment Association
New York Rural Water Association

The Trust for Public Land
Audubon New York
Save The River Upper St. Lawrence
Riverkeeper
Sierra Club Atlantic Chapter
Buffalo Niagara Waterkeeper
Scenic Hudson
Long Island Water Conference
Nassau Suffolk Water Commissions' Association
Western New York Environmental Alliance
Green Ossining



Thank you to the Park Foundation & Mott Foundation for supporting the New York Clean Water Coalition