



April 22, 2022

Hon. Carl Heastie, Speaker
New York State Assembly
Legislative Office Building 932
Albany, New York 12248

**Re.: Legislation Letter of Support
S3968A – An act establishing the Safe Water Infrastructure Action Program (SWAP)**

Dear Speaker Heastie:

NYSAWWA, NYWEA, and NYRWA represent the drinking water, wastewater, and rural water interests of the New York water sector. Together, we work with our 7,000 plus members to ensure that all New York State residents have access to safe, clean, affordable, and reliable water and wastewater services.

The New York Section American Water Works Association (NYSAWWA), the New York Water Environment Association (NYWEA), and the New York Rural Water Association (NYRWA) ask you to support state Senate bill S3968A, which establishes the Safe Water Infrastructure Action Program (SWAP), and to sponsor an amendment to explicitly include combined sewers in this bill. We further ask that you work with the honorable members of the state Assembly to sponsor and introduce a similar bill for consideration and approval by the Assembly.

Senate bill S3968A, bill sponsored by Senator Michelle Hinchey (NY 46th Senate District), has broad bipartisan support as demonstrated through the introduction of the bill by 15 state Senators and active co-sponsorship by 27 state Senators from districts in all regions across the state. It is an act to amend state Environmental Conservation Law, establishing the safe water infrastructure action program for the purpose of making payments toward the replacement and rehabilitation of existing drinking water, storm water and sanitary sewer systems throughout the state. This legislation seeks to create a water, sewer and storm water local infrastructure funding program similar to the popular Consolidated Local Street and Highway Improvement Program (CHIPS). This legislation will give local municipalities needed funding for the repair and maintenance of their infrastructure.

According to the federal government, 80% of all New York State water infrastructure, specifically drinking water, storm water, combined sewer, and sanitary sewer, is in dire need of repair, replacement or rehabilitation. Although costs for improvements and maintenance continue to rise, local municipalities struggle to maintain levels of service due to inadequate state and federal funding for capital improvements, as well as inadequate revenues due to the tax cap being tied to the Consumer Price Index.

Reliable infrastructure with capacity for expansion is the foundation of economic growth. New York State must commit to investing in our infrastructure to provide that foundation for growth, and to ensure the health, safety and welfare of its citizens. New businesses will not invest in New York if they cannot depend on the infrastructure to serve them adequately. Although New York has provided funding for water infrastructure improvements in the past, that funding does not adequately address the underlying issue of increasing operational and maintenance expenses.

Insufficient operation and maintenance (O&M) funding is a major contributor to our infrastructure issues. Years of inadequate revenue streams have required the deferral of maintenance of critical water and wastewater infrastructure. The Safe Water Infrastructure Action Program (SWAP) is designed to provide municipalities with water, sewer, and storm water infrastructure an annual supplemental funding stream to support operation and maintenance activities. Just like the successful Consolidated Local Street and Highway Improvement Program (CHIPS), municipalities would know what their annual SWAP allotment would be, leading to the development of more sustainable and stable approaches to infrastructure O&M activities.

The bill as currently written unfortunately falls short of explicitly including combined stormwater and sanitary sewer systems which are found in some of New York's oldest municipalities, where the largest environmental justice areas are located. We are concerned that this omission will introduce new inequities, depriving many of the urban centers of our state of this much needed funding source. Therefore, we strongly encourage you to consider offering an amendment to address this issue and to work to ensure that a similar bill in the Assembly explicitly includes combined sewer infrastructure amongst the designated beneficiaries.

New York has been a national leader in improving the environment and now we ask your help to make New York a national leader in water and wastewater infrastructure. We support actions by New York State to enhance reliable and sustainable water infrastructure and improve water services for generations of New York residents to come. We thank you for your service, time, and consideration. If you have any questions or ideas on how we can support a similar bill in your legislative chamber, then please let us know.

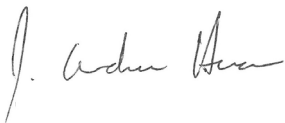
Sincerely,



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Cc.: Hon. Kathy Hochul, Governor – New York State
Hon. Andrea Stewart-Cousins, Majority Leader – NYS Senate
Hon. Michelle Hinchey, Senator – NYS 46th Senate District