

# BUFFALO

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I would like to begin by thanking the House Committee on Transportation and Infrastructure chair Peter DeFazio and the Subcommittee on Water and the Environment chair Grace Napolitano, as well as the respective ranking members; Congressman Sam Graves and Congressman David Rouzer, along with the other members of the subcommittee who are present, for this opportunity to talk with you today about the importance of federal investment in water infrastructure across the United States and how that investment will play a critical role in making clean, healthy water more accessible to the residents of our cities and communities.

My name is Oluwole McFoy and I am the General Manager of the Buffalo Sewer Authority and Chair of the City of Buffalo Water Authority. I also serve on the Board of Directors for the National Association of Clean Water Agencies, or NACWA, and am testifying on behalf of the Association today. NACWA represents hundreds of public wastewater and stormwater agencies nationwide that are on the front lines of public health and environmental protection. NACWA has advocated for greater federal investment in clean water infrastructure for over 50 years, and while I am here today to share my experiences from Buffalo, many of the challenges facing my city are shared by other utilities and communities nationwide.

Buffalo is a northeastern city that has seen its share of both ups and downs. It is a city with a proud record of innovation, individual fortitude, and perseverance; while also having a pretty good football team as of late. These characteristics make Buffalo feel special to me, but I am confident that if you asked any resident, of almost any city in the country, they would have almost the same exact feeling about their hometowns. That mutual feeling of shared experience also extends to the challenges water system managers are facing across the nation.

Historically, cities like Buffalo had a partner in the federal government when it came to building critical infrastructure like water and sewer systems. That partnership was vital to helping Buffalo, and other communities around the United States, develop their economies, provide working class families the opportunity to have a good home in a stable neighborhood, and sustain a healthy pace of development.

However, over the last several decades, the nature of that partnership has changed as the federal government's investment grew smaller – now estimated below 5 percent of total water and wastewater infrastructure<sup>i</sup> – and localities had to take on a greater share of infrastructure costs, in addition to operations and maintenance. That shift to a greater local cost share had an unintended, but especially pernicious, consequence because it came at a time when local governments were losing their ability to raise revenues sufficient to cover the high-cost of these types of capital projects.

Beginning in the early nineteen sixties, Buffalo's tax-base, like that of other medium and small-sized cities, changed rapidly. Suburban development, which relied on the utilities infrastructure that had already been built to support their region's actual urban cores, drew a greater number of middle-class homeowners away. This began to deprive Buffalo of the solid

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economic base it had relied on to fund services, maintain property values, and attract employers with.

The residents who remained were often lower-income Black people who had faced various types of housing and employment discrimination, or others who were still committed to enjoying the benefits of city-living but did not have incomes sufficiently large enough to cover the gaps created by suburban migration. These migration patterns, along with a significant drop over time in federal infrastructure support, in many ways helped lay the foundation for the current environmental justice challenges facing our urban areas today around delivery of water and sewer services.

As a result, our drinking water and wastewater infrastructure deteriorated, with the work being done on it relegated to mostly maintenance, repairs, and necessary replacements. This has proven to be an unsustainable approach. The costs of this work are being borne by a segment of rate payers who cannot afford to pay it while at the same time the funding required for even this bare minimum approach is still growing, creating a situation where rate payers are being forced to pay more for less relative service.

The key to ending this cycle and restoring a sense of equity to our water utility system is having a re-engaged federal partner that is willing to help fund the infrastructure work that will allow cities to modernize their systems, employ innovative technologies that reduce maintenance costs, build systems that will be more resilient against the effects of global climate change, and then pass those savings on to ratepayers in a restorative way.

The recent commitment by Congress of six-hundred and thirty-eight million dollars towards Low Income Drinking Water and Wastewater Assistance is a critical stop-gap policy that can help meet the immediate needs of residents for whom water is becoming increasingly inaccessible. However, only long-term and sustained infrastructure investment by and partnership with the federal government will ever achieve the kind of water affordability that we all want to see become a reality. This can be accomplished through significant increased funding to existing programs like the Clean Water SRF, the WIFIA loan program, the Water Workforce grant program and the Sewer Overflow/Stormwater grant program. This can also be accomplished by establishing a permanent federal Low Income Water Assistance Program as well as through a strong jobs and infrastructure-based stimulus package with a significant water component. NACWA is pleased to strongly support all of these approaches through our new *Affordable Water, Resilient Cities* campaign, and you can learn more about our efforts online at [www.affordableh2o.org](http://www.affordableh2o.org).

Water is not only a requisite for life, but also an important contributor to our economic development, green infrastructure planning, protecting our public health, and the revitalization of our neighborhoods. That is why any federal investment will be leveraged to increase the return on investment. We are not asking for just an infusion of funding but instead for a recommitment to the idea that people who live in cities like Buffalo have a future where they can raise a family, find a good job, and live a healthier life.

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Finally, it is important that local policymakers have the flexibility necessary to use any federal funds in the manner that will result in the greatest good for the greatest number of people in their jurisdiction. In Buffalo, we are committed to balancing the imperative calls for racial equity, environmental justice, climate change, and economic development in every policy and program we develop and undertake. That same commitment applies to improvements we are making to our water infrastructure.

Any solutions developed in accordance with these principles must be dynamic if they are going to be successfully implemented. And while every community working on these problems likely shares these goals, they will also have to be able to adapt to their own set of changing circumstances. Every city across this country has different water infrastructure needs; in Buffalo we are not looking to just replace our existing waterlines but to modernize our water quality monitoring systems, use predictive technologies to improve maintenance, keep our water clean and reduce costs to our customers in a way that is restorative, environmentally sensitive, and development friendly.

Accomplishing this will require creativity, flexibility, and a commitment to the principles I have already outlined above. I hope that the subcommittee will consider these factors as it continues its work to develop legislation that will help improve water infrastructure system funding in Buffalo and other cities and communities across the nation.

I would like to thank the members of the subcommittee for their time and the opportunity to present my thoughts on the present need for increased federal investment in water infrastructure. I would be happy to answer any questions you may have.

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<sup>1</sup> Congressional Budget Office, <https://www.cbo.gov/publication/54539>