



## ERIE COUNTY WATER AUTHORITY INTEROFFICE MEMORANDUM

May 8, 2026

TO: Jennifer Hibit, Secretary to the Authority  
FROM: Sabrina Figler, Director of Water Quality  
SUBJECT: 2026 AWWA FLY-IN, DC.

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AWWA's mission in their annual DC Fly-In is to represent AWWA members' interests on Capitol Hill, advance legislation that promotes safe and sustainable water, inform federal decision making to ensure use of sustainable water, inform federal decision making to ensure use of sound science, promote AWWA as a go-to-resource on federal drinking water policy.

I attended the Fly-In as a representative for NYSAWWA, ECWA, and WNY utilities. I, and other New York State delegates and utility representatives were able to meet with the New York Senate offices of Charles Schumer and Kristine Gillibrand, and with the Congressional offices of Timothy M. Kennedy, District no. 26, and of Nicholas Langworthy, District no. 23.

AWWA priorities for the 2cd Session of the 119<sup>th</sup> Congress included CERCLA liability, LIHWAP and water affordability, Cybersecurity Resilience and Infrastructure Funding.

### **Infrastructure Funding Asks:**

- Reauthorize and fully fund the SRFs at or above \$3.25 billion each in Fiscal Year 2027
- Reauthorize and fully fund the WIFIA program at or above \$80 million in Fiscal Year 2027
- AWWA's new report "Beyond the Replacement Era" estimates that drinking water systems will need to invest between \$2.1 and 2.4 trillion by 2050 to repair, replace, and expand water infrastructure; comply with existing regulations; and improve their resilience to natural hazards
- To meet the projected need without additional federal assistance, water systems would have to increase annual capital spending from \$33 billion to \$90 billion for 25 years – all while maintaining affordable water service for their customers.
- Cost drivers include \$50-60 billion to comply with EPA's PFAS drinking water standards, and a similar \$50-60 billion range to comply with the Lead and Copper Rule Improvements.

### **CERCLA Liability Asks:**

- **If House:** Cosponsor H.R. 1267, the Water Systems PFAS Liability Protection Act
- **If Senate:** Support PFAS liability protections for drinking water and wastewater systems under CERCLA if/when a bill is introduced

- In 2024, EPA designated two PFAS chemicals – PFOA and PFOS – as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The designation means EPA can begin to identify and evaluate Superfund sites contaminated with these PFAS and hold “potentially responsible parties” (PRPs) liable for cleanup
- Water systems may be drawn into liability because they treat for, manage, and dispose of PFAS
- While EPA can protect water systems from federal enforcement, CERCLA allows PRPs to draw on other entities that may qualify as PRPs
- Water systems are heavily dependent on ratepayers for revenue, meaning that any legal fees or cleanup costs will be passed on to the public through higher rates – all to benefit PFAS manufacturers who released the chemicals into the environment in the first place

### **Cybersecurity and Resilience Asks:**

- Support a suite of bipartisan legislation to improve water sector’s cybersecurity and resilience
- Domestic and foreign cyber threats continue to intensify over time and water systems, like all critical infrastructure, are increasingly at risk of cyber attacks
- The current war in Iran adds another layer of concern
- Since 2014, AWWA has developed free tools and guidance documents to help water systems understand their potential vulnerabilities, set priorities, and execute proactive strategies to improve their cybersecurity capabilities
- The water sector is unique in comparison to other critical infrastructure sectors in that there are 50,000 community water systems and 16,000 publicly owned treatment works, all with different system sizes, operational complexity, ratepayer demographics, capacity levels, and risk profiles
- Congress can help systems of all shapes and sizes improve their cybersecurity capabilities by working with the sector to develop requirements and provide dedicated resources, access to training and technical assistance, and widespread access to threat information sharing

### **Water Affordability Asks:**

- **If House:** Cosponsor H.R. 4733, the LIHWAP Establishment Act
- **If Senate:** Support a permanent LIHWAP program at HHS
- According to HHS, more than 20% of households are in debt to their water utility, and those at 75% of the poverty level spend up to 40% of their monthly income on water service
- A new report from AWWA found that 10 million households pay more than 2.5% of their monthly incomes on drinking water service, and that number could rise to 30 million by 2050
- At the same time, AWWA estimates that drinking water systems must invest \$2.1 - 2.4 trillion by 2050 to repair, replace, and expand infrastructure, comply with existing regulations, and improve their resilience to natural hazards – which means that rates will need to continue to increase
- LIHWAP provides direct assistance to help households reduce their water bills, clear arrearages, maintain access to water service and – in some cases – to stay in their home
- The program also ensures that water systems aren’t losing out on the revenue that they need in order to make infrastructure investments critical to protecting public health in their communities