

Engineers & Land Surveyors Day at the State House + Water's Worth It Day May 30, 2024

Information for
ADVANCE BRIEFING SESSIONS:
May 23, 28, 2024



Engineers & Land Surveyors Day Overview

■ Collaborative effort:

- ACEC/MA, BSCES & MALSCE, coordinated by TECET Staff with help from ACEC/MA's advocates at Risky Partners.
- With staff and volunteers from: MAWEA, MassHighway Association

■ **Inform** Massachusetts state legislators on issues important to the engineering, land surveying and municipal public infrastructure community

■ *Promote or oppose* certain legislation

■ *Create bridges* between our design professional and municipal public works & infrastructure community and your State Senators and State Representatives

Preparing for May 30

- **Review Issue Briefing Fact Sheets** — will be posted with link sent to you, for now: review draft versions sent to you
- **Read on-line bios of:**
 - Your State Senator <http://www.malegislature.gov/People/Senate>
 - Your State Representative
<http://www.malegislature.gov/People/House>
- **Bring your business cards** — write your town's name: "Resident of Groton"
- **When you arrive at the State House, 2nd floor, Great Hall on May 30, you'll receive:**
 - Updated briefing packet with your appointments
 - A briefing packet for your legislators (or someone else in your district will have this.)
 - Continental Breakfast

Schedule for May 30 @ State House

9 AM Security, go to 2nd Flr, Great Hall

9:10-9:25 AM State House, 2nd Flr, Great Hall

- Registration/Light Breakfast/Pick up Briefing Packets/Networking

9:25 - 10:15 AM

- Issue Briefing and Briefing with Rep. Sean Garballey

10:30 AM (Senate) and 11:15 AM (House)

- Scheduled meetings with your state legislators in State House in their offices

11:45 AM

- Return any follow up materials to Great Hall and return to your office

Issue Briefing Fact Sheets

- Wipes Labeling can Save Ratepayers \$;
Keep Waters Clean
- Water Infrastructure Investment Creates Jobs
- Transportation Infrastructure
- Maximizing Private Sector Innovation
- Possible addition: water for housing bill

Wipes Labeling can Save Ratepayers \$; Keep Waters Clean

Support:

S.480/H.805 - An Act protecting wastewater and sewerage systems through the labeling of non-flushable wipes - Sponsors: Senator James B. Eldridge, Rep. Sean Garballey, Rep. Steven Owens - Both bills referred to Senate Ways & Means Committee

ISSUE

- Massachusetts sewers face roughly **\$10 million in annual** avoidable costs for clogs, fouled pumps and resulting sanitary sewer overflows. As the popularity of various wipes increases and users flush them, these costs will increase. During the COVID-19 pandemic, the use of wipes increased greatly, causing dangerous clogs and public health issues for sewer systems and workers.
- Since the early 2000s, wipes have been aggressively marketed as a replacement for toilet paper, mops, cleaning brushes and rags. This multi-billion-dollar industry has had disastrous impacts on local sewer systems.

Wipes Labeling can Save Ratepayers \$; Keep Waters Clean

KEY POINTS

This legislation targets only wipes and other products that are **NOT** flushable **according to industry**.

- Unlike toilet paper, wipes are not “dispersible” in normal sewer conditions.
- There is lack of consistency in labeling, and some wipes product labels have no information about disposal at all. This creates consumer confusion about the proper disposal of these products.
- Wipes Contain Plastic: Nearly all baby wipes, household cleaning wipes and cosmetic wipes have a significant amount of plastic in them. Plastic fibers are engineered for strength, and these wipes don’t break down, they rope together and create massive clogs that catch other debris.
- Wipes should be properly and clearly labeled.
- Similar bills are now law in California, Illinois, Oregon, and Washington.

Wipes Labeling can Save Ratepayers \$; Keep Waters Clean

ACTION REQUESTED — Clear Consumer Messaging

- We respectfully ask that the Legislature pass these bills to classify wipes, using wipes-industry standards as “non-flushable.”
- We ask that those wipes that do not meet industry standards for dispersibility have prominent, mandatory “Do Not Flush” labelling, following NACWA labeling guidelines.



Water Infrastructure Investment Creates Jobs

Support HB 852, An Act relative to municipal assistance for clean water and economic development infrastructure (*Rep. Jay Livingstone*) – *[In a study JENR Committee]*

ISSUE:

- The Commonwealth and its municipalities face an impending water crisis created by antiquated infrastructure, a failure to adequately invest in maintaining existing water and sewer infrastructure, and new unfunded regulatory mandates.

BACKGROUND:

- We all depend on water infrastructure to provide clean and reliable water for the protection of public health and safety while enhancing economic viability and overall quality of life. The million miles of water pipes below our streets represent an enormous public asset largely built and paid for by earlier generations. Aging and failing water and sewer infrastructure threaten public health and safety by degrading water quality and compromising fire protection through reduced flow.

Water Infrastructure Investment Creates Jobs

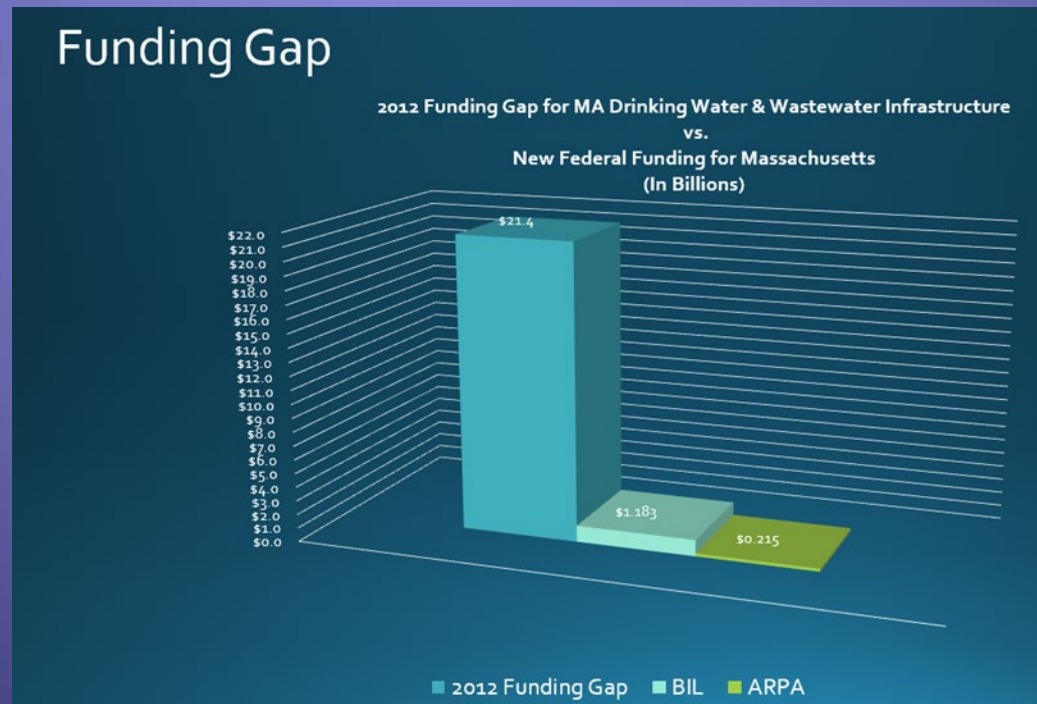
KEY POINTS:

- ♦ The 2012 report by the Massachusetts Water Infrastructure Finance Commission found that there is a significant gap between available funding and what is needed over the next 20 years to improve water-related infrastructure:
 - ♦ \$10.2 billion for drinking water;
 - ♦ \$11.2 billion for wastewater;
 - ♦ conservative estimate of \$18 billion for stormwater.
 - ♦ **These estimates do not consider more recent regulatory mandates to address Per- and Polyfluoroalkyl Substances (PFAS), Combined Sewer Overflows (CSOs), or removal of Lead Service Lines.**
- ♦ On April 4, 2023, EPA released the 7th Drinking Water Infrastructure Needs Survey and Assessment (CY 2021), noting that Massachusetts water systems have **\$15 billion** in need over the next 20 years for water infrastructure projects to continue providing safe drinking water to the public (not taking into account compliance with an updated PFAS standard).

Water Infrastructure Investment Creates Jobs

KEY POINTS:

- 28,500 jobs are created for every \$1 billion spent on water infrastructure investment. (US Conference of Mayors, others).
- Funding available through the once-in-a-generation Bipartisan Infrastructure Law (BIL) and the American Rescue Plan Act (ARPA), while welcome and appreciated, will not be near enough to bridge the gap on our water infrastructure funding needs.**



Water Infrastructure Investment Creates Jobs

- The primary mechanism for funding water infrastructure projects is the State Revolving Fund, administered by the Clean Water Trust.
- Most of the BIL water infrastructure funding will be distributed through this process. The State Revolving Fund is a competitive **loan** program which may offer favorable incentives for certain communities in the form of lower interest rates or principal forgiveness, but primarily will need to be paid back by ratepayers.
- Many critical water infrastructure projects are not scoring high enough against higher priority PFAS projects to even access this funding.
- Maintaining our water infrastructure is a shared partnership between local, state, and federal governments. Our ratepayers need help!

Water Infrastructure Investment Creates Jobs

ACTIONS REQUESTED:

- We respectfully ask the legislature to support increased funding for water infrastructure, including HB 852, An Act relative to municipal assistance for clean water and economic development infrastructure.
 - \$1 Billion Bond – distributed as grants based on Chapter 90 formula, would provide much needed funding for essential infrastructure like pipe replacement, lead service lines also eligible.
- Chapter 259 of the Acts of 2014 raised the state capitalization of the SRF program from \$88 million to \$138 million, but the legislature needs to appropriate the funding. The Act also provides access to less than 2% loans, 0% or even principal forgiveness if a project meets certain criteria. Please fully fund capitalization at \$138 million.
- Both the MA House and the MA Senate have \$63,383,680 in their budgets for FY2025, which is level funding. This won't be increased in FY2025, but we are looking to the future.

Water Infrastructure Investment Creates Jobs

Additional Resources to check out:

- EPA Survey Highlights Wastewater Infrastructure Needs to Protect Waterbodies in Communities Across the Country
 - Total Reported Needs for Massachusetts (January 2022 Dollars Rounded to the Nearest Million) **\$21,710,000,000**
 - Per Capita Reported Needs for Massachusetts: (January 2022 Dollars per Person) **\$3,088**
 - Interactive Survey: <https://www.epa.gov/cwns>.
- May 13: the US EPA transmitted this report to Congress outlining clean water infrastructure investments—including wastewater and stormwater system upgrades—that are needed over the next 20 years. Through the Clean Watersheds Needs Survey, states and US territories report on future capital costs or investment needs to maintain and modernize publicly owned wastewater treatment works, stormwater infrastructure, nonpoint source control, and decentralized wastewater treatment systems like septic tanks. These investments are essential to supporting the Clean Water Act's goal that our nation's waters are fishable and swimmable.
- The 2022 survey represents the most recent comprehensive and robust report on wastewater, stormwater, and other clean water infrastructure needs in the U.S., and shows that at least \$630 billion will be needed over the next 20 years to protect our nation's waterbodies.

Massachusetts Transportation Infrastructure

Support: An Act relative to regional (transportation) ballot initiatives - Filed by Representatives Ciccolo and Lewis ([H.2737](#)) (currently in House Ways & Means) and Senator Friedman ([S.1828](#)) (currently in Senate Ways & Means)

Massachusetts' multi-modal transportation network, that includes our streets and highways, bridges, railroads, bike and pedestrian paths, transit, buses, and municipal fleets, is foundational to the economic wellbeing of the Commonwealth. Investments in this network are essential to support the safe and efficient transport of goods and people—a critical element to ensure resilience and stability in our economy and communities.

We support legislation and policies that provide the Commonwealth and its communities with the resources needed to ensure transportation infrastructure is well-maintained while supporting an effective and efficient transition to new energy sources.

We urge the Legislature to support:

- Targeted funding for road, bridge, sidewalk, path, and other transportation infrastructure maintenance, repair, and construction.
- Targeted funding for the MBTA: In November 2023, the MBTA's updated analysis of its State of Good Repair (SGR) Index, which measures the Authority's capital asset needs, was raised to \$24.5 billion.

Massachusetts Transportation Infrastructure

- Both the House's & Senate's FY2025 budgets include significant Fair Share Transportation funding for the MBTA, the Regional Transit Authorities (RTAs) and MassDOT. For the MBTA, their capital budget needs are increasing significantly in the years ahead to address a backlog of safety improvements, modernization projects, and climate resiliency needs.
- Governor Healey's Transportation Funding Task Force is expected to make recommendations at the end of CY2024. We urge the legislature to implement recommendations early in the next legislative session, including a timely review of alternatives including vehicle miles travelled, congestion pricing and other alternative methods to generate transportation revenue.
- **The 2022 climate legislation committed** Massachusetts to selling only new Zero Emission Vehicles by 2035. Gas tax revenues will continue to diminish in relationship with emissions reductions. Revenue to replace lost gas tax is needed.
 - We support exploration of alternative revenue streams to offset lost gas tax revenue. For example, a **Road User Charge** may be an efficient means to replace the current gas tax.
- The MBTA and RTAs need a consistent and reliable funding stream to address long term investments in equipment and systems. Investment of general funds in public transportation systems is essential for the development and enhancement of our public transportation systems across the Commonwealth.
- Beyond initial capital investments, communities and agencies will need sustained support to continue to fund the upkeep and expansion of electric fleets.

Massachusetts Transportation Infrastructure

- **Transportation-focused workforce development**
 - From municipal DPW positions to staff engineers, laborers and operators, the Commonwealth is experiencing a shortage of skilled transportation-focused workers. Without significant investment in expanding this workforce, the Commonwealth and its municipalities will struggle to provide the workforce required to plan, design, construct and operate and maintain the transportation systems of the future.
- **Further, we support to upskilling existing workers and investing in workforce development to support the energy transition. Workers are needed to drive and maintain electric fleets and associated infrastructure. We must all work to ensure that the Commonwealth is investing in both human and physical capital.**

Massachusetts Transportation Infrastructure

ACTION REQUESTED

- ❑ Support: An Act relative to regional (transportation) ballot initiatives - Filed by Representatives Ciccolo and Lewis (**H.2737**) (in House Ways & Means) and Senator Friedman (**S.1828**) (currently in Senate Ways & Means)
- ❑ Re-implement targeted formula-based funding to cities and towns (like the Winter Recovery Assistance Program) that will help to bridge local-level funding gaps.
- ❑ Support a multiyear increase to Chapter 90 funding, enabling municipalities to better plan and implement transportation projects.
- ❑ Support new revenue for transportation, including a pilot project for considering alternatives to the gas tax such as **road user charges**
- ❑ Support initiatives that will help offset investments in the energy transition.

Massachusetts Transportation Infrastructure

Considerations in launching road use charging programs

- As gas tax revenues recede and state departments of transportation and the federal government seek new and more sustainable mechanisms for funding highway transportation, road use charging (RUC) is emerging as a viable option.
- RUC repositions transportation as a pay-for-use utility, charging motorists a fee per mile driven rather than a tax on the gallons of fuel consumed. Many states are either researching RUC, implementing pilot programs or have enacted legislation approving implementation.

Assessing RUC's value

There are 3 main reasons why road user charging is gaining traction:

1. **It's fair.** Road use charging is, first and foremost, considered fair. Everyone pays in direct proportion to their use. If Motorist A drives twice as far as Motorist B, A pays twice as much as B does. If Motorist A drives an electric vehicle and Motorist B drives a gas-powered vehicle, both still pay a fee proportional to the distance they drive. No one vehicle type is charged more than another.
2. **It's flexible.** DOTs can tailor the scope and pricing of road user charging to fund specific needs. While at its heart, RUC is designed as a replacement for the Motor Fuel Tax, it can also serve other purposes. These uses might include charging according to a vehicle's wear and tear on the roadways, its carbon emissions profile its location on the transportation network or its contribution to congestion. RUC can be customized to influence specific travel habits and achieve specific desired outcomes in a jurisdiction.
3. **It's future ready.** Road user charging is a future-ready funding source that will continue to generate revenue as vehicle types evolve and more fuel-efficient vehicles are purchased. In addition, the collection method can be incorporated seamlessly into future digital platforms, leveraging telematics to report vehicle characteristics (speed, fuel consumption, location, distances traveled, etc.); and apps that can provide value-added services for motorists, as well as paying a RUC fee.

Maximizing Private Sector Innovation

- **We Oppose 3 bills**

- *S. 2035, An Act to promote safety, efficiency and accountability in transportation projects through public inspections, Senator Michael O. Moore currently in Senate Ways & Means*
- *S.2047, An Act relative to protecting the taxpayers of the Commonwealth, Senator Marc R. Pacheco, currently in Senate Ways & Means*
- *H.3305, An Act to assure safety, efficiency and accountability in transportation projects through public inspections, Representative Daniel M. Donahue of Worcester – this bill has been placed into a study*

Maximizing Private Sector Innovation

- Engineering and Land Surveying community is essential in helping public agencies deliver services to taxpayers
- Represents more than 15,000 professionals in Massachusetts
- State and Municipal agencies need unique expertise, technical innovation provided by engineering firms
- Value to taxpayers since public agencies do not need to staff up for peak labor requirements; taxpayers only pay for the time on the project

Maximizing Private Sector Innovation

ISSUE

- The engineering industry has an essential role in helping state agencies and municipalities deliver services to taxpayers. From designing solutions to address congestion on roadways, ensuring continued access to safe drinking water, to putting green technologies to work to make industry and government more sustainable, engineering firms in Massachusetts are working to solve public policy challenges and improve the quality of life for residents.
- Eliminating private sector design engineer from performing construction inspections increases overall cost of project since it's the design engineer that's most familiar with the project
- Private firms still accountable to agencies and taxpayers – state oversees contracts, approves billings, perform audits, etc.

ACTION REQUESTED

- We urge legislators to oppose any bills or amendments that would prevent state agencies and municipalities from contracting out for professional engineering, land surveying or related design services, construction phase engineering, inspections or testing services. Public agencies need the flexibility to determine how they will get this work done.

Tell Your Story

- Legislators remember your specific example
- Based on your work experience or based on your experience as a resident of your community.

After your meetings:

- Report Back: Tell us about any issues that came up in your meetings needing follow-up
 - Follow Up Form & Survey Monkey Evaluation
- Send a thank you note or email to staffers and legislators with whom you met

A few other notes

- **Fact Sheets will be posted on www.engineers.org – will send link.**
- **Legislative Staff: Aides are important.**
Treat aides just as you would your legislator, both as a matter of courtesy and because the aide truly is in a position to help.
- **Be brief;** be clear; be accurate; be persuasive; be timely; be persistent; be grateful
- If your plans change and you cannot attend: look for local office hours in your community!

QUESTIONS?