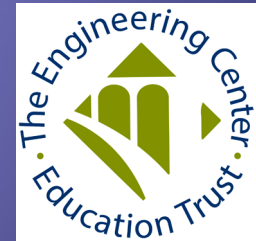


# Engineers & Land Surveyors Day Virtually @ the State House

Information for  
ADVANCE BRIEFING SESSIONS:  
June 7, 15, 2021



# Engineers & Land Surveyors Virtually @ the State House Overview

- Collaborative effort of:
  - ACEC/MA, BSCES & MALSCE, coordinated by TECET Staff with help from ACEC/MA's advocates at Risky Partners.
- Inform Massachusetts state legislators on issues important to the engineering & land surveying community
- *Promote or oppose* certain legislation
- *Create bridges* between individuals in engineering & land surveying community and your State Senators and State Representatives

# Preparing for Virtual or Inperson Meetings

- **Review Issue Briefing Fact Sheets –**
  - <https://www.engineers.org/about/news/engineers-and-land-surveyors-virtually-at-the-state-house-register-3655>
- **Read online bios of:**
  - Your State Senator <http://www.malegislature.gov/People/Senate>
  - Your State Representative <http://www.malegislature.gov/People/House>
- **If meeting in person - bring your business cards –**  
write the town name: “Resident of Groton”

# Issue Briefing Fact Sheets

- **Transportation Infrastructure**
- **Water Infrastructure**
- **Dig Safe**
- **Maximizing Private Sector Innovation**
- **Wipes Regulations can Save Ratepayers \$, Keep Waters Clean**

# Massachusetts Transportation Infrastructure

## **INVESTING TODAY FOR CLIMATE RESILIENCY, CONGESTION REDUCTION AND OUR FUTURE**

In addition to support for an increased state gas tax and more use of tolling, with revenues dedicated to transportation infrastructure, we support a pilot project for VMTs (Vehicle Miles Traveled).

We support bills that help to provide:

- Accessible, frequent, and fast public transit gets people to their destinations without contributing to traffic.
- Connected, well-maintained, and extensive roads, trails, bike lanes, and sidewalks encourage active transportation, health, and recreation.
- Making our entire transportation system safe, comfortable, and accessible for users of all ages, abilities, income, and travel modes leads to healthier and stronger communities.

# Massachusetts Transportation Infrastructure

## TRANSPORTATION NETWORK COMPANIES

- **SB2295- An Act to reduce congestion and encourage shared rides by Senator Brendan Crighton**
- **HB3523- An Act to reduce congestion and encourage shared rides by Senator Jay Livingstone**
- These bills codify a process for capturing increased value along transportation corridors for transit, roadway, and TOD development. This act would increase the current surcharge on Transportation Network Companies like Uber and Lyft, bringing Massachusetts into parity with other cities and states nationwide, and encourage shared trips in order to reduce traffic congestion and improve mobility.

## VALUE CAPTURE

- **HB3608- An Act relative to transportation infrastructure value capture by Representative William Straus**
- *This bill* allows for the increased land value created by a transportation project to be used to fund that project directly. This is a tool not currently available in Massachusetts, but it is one that is used all across the country to finance transportation investments.



# Massachusetts Transportation Infrastructure

## REGIONAL TRANSPORTATION BALLOT INITIATIVES

- **SB1899- An Act relative to regional transportation ballot initiatives by Senator Eric Lesser**
  - **HB2978- An Act relative to regional transportation ballot initiatives by Representative Jack Patrick Lewis**
- These bills would enable a municipality, or a group of municipalities as a district, to raise additional local money for transportation projects, operations, or transit-oriented development via ballot initiatives. A supplement to other state and federal transportation revenue, these funds would give voters a more direct role in the process and show a clearer correlation between revenue and transportation projects. In states that allow these initiatives, there is an average 70-80% success rate.

■

# Massachusetts Transportation Infrastructure

## LOCAL INFRASTRUCTURE DEVELOPMENT PROGRAM

- **HB2135- An Act to improve the local infrastructure development program By Representative Christine Barber**
  - **SB1337- An Act to improve the local infrastructure development program by Senator Adam Hinds**
- These bills amend an existing provision that allows property owners to finance public infrastructure improvements with tax-exempt bonds. This update reduces approval thresholds from their current level of 100%, allows for greater role for municipalities in the creation and management of districts, and clarifies language to ensure investments prioritize smart growth principles.



# Massachusetts Transportation Infrastructure

## ■ ACTIONS REQUESTED

- Support new revenue for transportation, including increased use of tolling, in conjunction with the other New England states or a pilot project for collecting fees on VMTs (Vehicle Miles Traveled.)
- Financial Management Control Board or replacement Board: Support this if it works to improve business processes and develops a long-term plan for the T that efficiently uses its resources.
- Support a multiyear commitment of \$300 M/year for Chapter 90 funding, enabling municipalities to do longer term planning for capital needs.

# Water Infrastructure Investing in Our Future

- Link to WIFC Report: <https://files.engineers.org/file/WIFC-Report-F5D7.pdf>
- Link to State Auditor Division of Local Mandates Report: [http://bit.ly/Auditor\\_Water2017](http://bit.ly/Auditor_Water2017)
- The Commonwealth and its municipalities face an impending water crisis created by antiquated infrastructure and a failure to properly invest in maintaining existing water and sewer infrastructure. In addition, funding is needed for remediation of water supplies contaminated with PFAS (per- and polyfluoroalkyl substances) chemicals linked to a range of health issues, stormwater management, and other critically needed projects.

# Water Infrastructure Investing in Our Future

## **Action in June: Line Item in FY2022 Budget**

**Information sent in separate message on 6/14/21**

**Before June 18:** Ask your legislators to urge the Budget Conference Committee to

- Accept the House's language to ensure full funding of the Clean Water Trust's contract assistance budget line item, which assists cities and towns in building and maintaining water infrastructure systems that protect public health, ensure safe and reliable sources of drinking water, prevent flooding and environmental contamination, and drive jobs and community economic development.
- Restore funding to 1599-0093 to ensure continued investment in water infrastructure: increase the appropriation from \$39,014,000 to \$63,383,680. This number would be in line with the House's version of the FY2022 budget.

### Background

The Massachusetts Clean Water Trust (CWT) manages the Commonwealth's Drinking Water and Clean Water State Revolving Loan Funds.

The State Revolving Loan Funds are a joint federal-state financing program that provides subsidized loans to municipalities and utilities to improve their water infrastructure.

# Water Infrastructure Investing in Our Future

**Background:** Governor Baker's FY22 budget proposal cut the line-item by \$24 million from FY21 levels. The House restored the funding back to the FY21 level.

For Budget Line Item: **1599-0093**

Ask your legislators to ask the Conference Committee to accept the House's amount of \$63,383,680.

Municipalities and regional water utilities will likely be negatively impacted if the CWT contract assistance program is not funding at this level. The cost to maintain municipalities water infrastructure systems is growing. As you can imagine, communities are facing significant costs to comply with new regulations and permitting conditions, all while trying to maintain and upgrade existing infrastructure. Regulatory initiatives have important public health, economic development and environmental benefits, however, compliance with these regulations is very expensive and requires technical expertise.

# Water Infrastructure Investing in Our Future

Additionally:

## **Actions for over the summer:**

- Support HB 900, An Act relative to municipal assistance for clean water and economic development infrastructure (Rep. Carolyn Dykema) – [In JENRA Committee]
- *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.*

Note:

- We support other water infrastructure related bills this session, but we are focusing attention on these issues.
- We were also major proponents for the creation of the dam and seawall fund. Most of the dam funding has already been lent to projects – give any local examples.

# Dig Safe: For Public Safety and Efficiency

## Support

- **HB 3297, An Act supporting safe excavation practices, Sponsored by Representative Carolyn Dykema (D- Holliston) plus other sponsors [Bill in Joint Committee on Telecommunications, Utilities and Energy] and**
- **SB 2293, An Act relative to public safety in excavation, Sponsored by Senator Brendan Crighton (D-Lynn) plus other sponsors [Bill in Joint Committee on Transportation]**

## ISSUE

- Professional Land Surveyors need to be able to gather accurate information on the location of underground utilities early in the design of a project. Including accurate utility location information in the planning phase of a road, bridge, water or sewer or other project minimizes the hazards, cost, and work to produce the final project and helps to protect public safety.
- HB3297/SB2293 provides updates to the Dig Safe law [MGL c. 82, §§ 40, 40A-40E] that are endorsed by the Common Ground Alliance, a national organization committed to saving lives and preventing damage to underground infrastructure by promoting effective damage prevention practices.



# Dig Safe: For Public Safety and Efficiency

- Many public utility systems run underground through pipes and conduit. Identifying the location of these systems and abandoned pipes and conduit is an important step in the design and construction of infrastructure improvements. Current Dig Safe law does not fully reflect the current recommendations of the Common Ground Alliance. The Dig Safe Law needs to be updated for public safety and to prevent inconvenience to the public during construction.
- At the beginning of an infrastructure project, a PLS uses all reasonable means to obtain information about underground facilities in the area of the planned excavation. Unfortunately, the current Dig Safe law does not require Dig Safe to assist a PLS or PE with actual utility siting during the planning phase of the project, only once construction is about to begin. Planning and design may occur months before construction.

# Dig Safe: For Public Safety and Efficiency

## KEY POINTS

- HB3297/SB2293 would add the term “Professional Land Surveyor” and its definition to allow for the Dig-Safe law to be applicable for surveyors to obtain utility location information at the preliminary design phase for a facility, which would greatly assist the design and construction of the facility, including safety for workers as well as the general public.
- HB3297/SB2293 will help land surveyors access Dig-Safe information earlier in a project, when the project is in preliminary design. Specific, accurate utility location information at the design phase of projects will promote more efficient design and construction of facilities and protect the general public, utility company assets and the lives of contractors. The proposed change to Section 40B makes this provision applicable to surveyors as well as excavators to ensure proper notice of the markings.
- HB3297/SB2293 will help to reduce the number of construction change orders for public and private sector projects, saving money during construction and improving construction site safety.

# Maximizing Private Sector Innovation - we OPPOSE 3 bills

- **Oppose: HB 3127, SB 2087 An Act to promote safety, efficiency and accountability in transportation projects through public inspections,**

- House Sponsor: Rep. Daniel Donahue, D-Worcester & co-sponsors,
- Senate Sponsor: Senator Michael O. Moore, D-Millbury & co-sponsors

- **Oppose: SB 2097 An Act relative to protecting the taxpayers of the Commonwealth**

- Sponsor: Senator Marc Pacheco

All 3 Bills Currently in Joint Committee on State Administration and Regulatory Oversight

# Maximizing Private Sector Innovation - we OPPOSE 2 bills

- Engineering and Land Surveying community is essential in helping public agencies deliver services to taxpayers
- Represents more than 7,000 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.



# Wipes Regulations can Save Ratepayers \$

## Keep Waters Clean

- ***S. 529, An Act protecting water systems through the labeling of flushable wipes***
  - Sponsor: Senator James B. Eldridge, Referred to Joint Committee on Environment, Natural Resources and Agriculture
- ***H.897, An Act protecting water systems through the labeling of flushable wipes***
  - Sponsor: Representative Carolyn Dykema, Referred to Joint Committee on Environment, Natural Resources and Agriculture



# Wipes Regulations can Save Ratepayers \$

## Keep Waters Clean

### ISSUE

- Massachusetts sewers face 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
- 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[1] has had disastrous impacts on local sewer systems as clogs and fouled pumps increase.

# Wipes Regulations 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
  - Many such products are labeled “flushable”
  - Clogs and fouling from flushed wipes costs sewer operations in Massachusetts nearly \$10M annually.
  - NACWA (the National Association of Clean Water Agencies) promotes using science-based standards for dispersibility
  - Wipes should be properly and clearly labeled

### ■ ACTION REQUESTED

- 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 dispersible standards have prominent, mandatory “Do Not Flush” labelling, following NACWA labeling guidelines.

# Wipes Regulations can Save Ratepayers \$

## Keep Waters Clean

In addition our associations, these associations and organizations support these bills:

- MAWEA, Massachusetts Water Environment Association
- MMA, Massachusetts Municipal Association
- MWRA
- MWRA Advisory Board
- WAC, Wastewater Advisory Committee to the MWRA
- WSCAC, Water Supply Citizens Advisory Committee to the MWRA
- NEWEA, New England Water Environment Association
- Yankee Onsite Wastewater Association

# Scheduling Local Meetings or Virtual Meetings

I will email you by Senate District and by House districts so that you can work with other engineers and land surveyors to schedule either a virtual meeting or an in person meeting at a local park, coffee shop or someone's backyard with the legislator

**Contact information:**

**<https://malegislature.gov/Search/FindMyLegislator>**

# Scheduling Local Meetings or Virtual Meetings

## Suggested Steps:

- Group email including anyone else in your district to legislator requesting a 30 minute virtual meeting or offering to meet in person in the district.
- Send Outlook appointment to everyone in the group confirming logistics. Copy [agoodman@engineers.org](mailto:agoodman@engineers.org)
- Try to determine who will talk about which issue before the meeting

# Tell Your Story

- Legislators remember your specific examples
  - 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
  - Will send Survey Monkey Evaluation link:  
<https://www.surveymonkey.com/r/ELS-2021>
- Send a **thank you** email to staffers and legislators with whom you met

# A few other notes

- **Fact Sheets will be posted on [www.engineers.org](http://www.engineers.org) – will send updated links.**
- **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**

QUESTIONS?