Engineers & Land Surveyors Day at the State House +

Water's Worth It Day

May 11, 2023

Information for
ADVANCE BRIEFING SESSIONS:
May 5, 8, 9, 2023

ACEC
American Council of Engineering Companies of Massachusetts

BSCES
Boston Society of Civil Engineers Section
American Society of Civil Engineers

Massachusetts Association
MALSCE
of Land Surveyors & Civil Engineers

Massachusetts Highway Association 1893

mwwa
massachusetts water works association

Working Toward A Clean Environment
MAWEA
Founded 1965

Massachusetts Municipal Association

Engineers & Land Surveyors Day Overview

- **Collaborative effort**:
  - ACEC/MA, BSCES & MALSCE, coordinated by TECET Staff with help from ACEC/MA's advocates at Rasky Partners.
  - With staff and volunteers from: Mass. Water Works Association, MAWEA, MassHighway Association, and MMA
- **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 11

- **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 the town name: "Resident of Groton"
- **When you arrive at the State House, 2nd floor, Great Hall on May 11, 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 11 @ 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 - 1:30 PM

- Start of **Water's Worth It Day** - Be sure to register for this if you can stay, or 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
- PFAS - Communities Face Many Challenges
- Transportation Infrastructure
- Maximizing Private Sector Innovation

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 - Referred to Jt Committee on Environment and Natural Resources

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 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.**

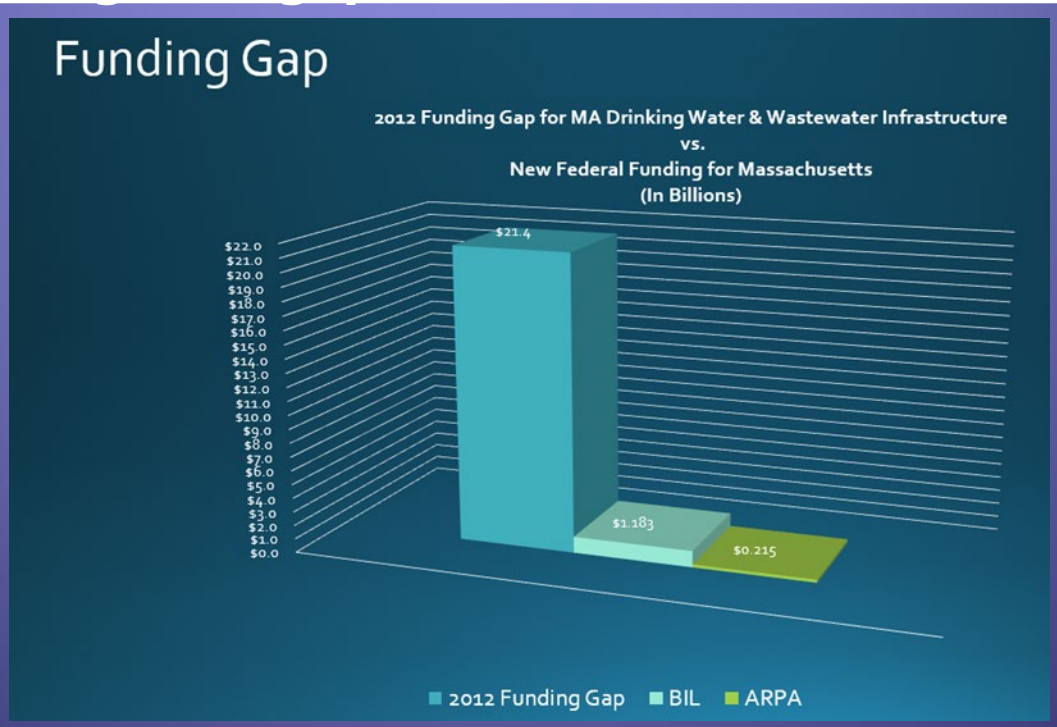
- On April 4, 2023, EPA released the 7th Drinking Water Infrastructure Needs Survey and Assessment (CY 2021), noting that Massachusetts water systems have **$15 billion** in need over the next 20 years for water infrastructure projects to continue providing safe drinking water to the public (not taking 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).

- **<u>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.</u>**



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.

PFAS – Communities Face Many Challenges

ISSUE:

- Massachusetts communities are facing many challenges related to addressing **Per- and Polyfluoroalkyl Substances (PFAS),** synthetic chemicals widely used in manufacturing, many consumer products, and firefighting foam. When applied or discarded, PFAS has leached from these products into our environment, our drinking water sources, and our wastewater discharges. Communities face significant costs for PFAS remediation.

BACKGROUND:

- Thousands of PFAS compounds are used in commerce. While scientific investigations and health studies are ongoing, studies are suggesting potential links between exposure to certain PFAS in the environment and health effects. The studies have looked at the impact on the development of fetuses and infants, the thyroid, the liver, kidneys, hormone levels and the immune system, as well as if a cancer risk exists for people exposed to levels well above the drinking water standard. While the focus has been primarily on PFAS in drinking water, the issue is impacting municipalities in more ways.

PFAS – Communities Face Many Challenges

KEY POINTS:

- Recent advances in laboratory testing now enable us to test for PFAS compounds at extremely low levels in the parts per trillion.

- The Massachusetts Department of Environmental Protection has set a limit of 20 ng/L (equals 20 ppt) for the sum of six PFAS compounds in drinking water, which are referred to as the PFAS6.
  - EPA is now seeking public comments on a national drinking water rule which would set the limit much lower than Massachusetts at **4 ppt**. This is creating uncertainty for water systems which are currently designing or have installed treatment to meet the Massachusetts standard.

- PFAS can be treated in drinking water, but it is expensive. The MA Clean Water Trust has already issued $149 million in loans for 24 Public Water System projects to remediate PFAS in drinking water; this is only a fraction of the funding needed.

- PFAS levels in wastewater discharges are now being studied. Because PFAS is so ubiquitous and in so many consumer products, PFAS is being detected in wastewater effluent and biosolids.

PFAS – Communities Face Many Challenges

- Landfills in New England have very limited capacity and little to no ability to accept additional biosolids. Incinerators in New England are all running at or near capacity, and their infrastructure is aged and in need of repair. Beneficial reuse options have become significantly restricted as Maine and Vermont have passed moratoriums on land application. Sludge disposal is getting to a crisis point!

- Municipalities are dealing with PFAS beyond water and wastewater concerns
  - Concerns about PFAS in Firefighting gear
  - Landfill leachate
  - Artificial Turf

PFAS – Communities Face Many Challenges

ACTIONS REQUESTED:

We respectfully ask the legislature:

- The state should conduct its own toxicology studies to better understand the exposure pathways and uptake rates of specific PFAS compounds and embark on consumer education to make people aware of how to reduce their exposure from consumer products and food, in addition to water.
- Support a ban on PFAS in consumer products to stem the tide of more PFAS being introduced into our environment.
- Carefully review any legislation to be sure there are no unintended consequences to our municipalities by further regulating wastewater biosolids disposal.
- Require MassDEP to develop a comprehensive Statewide Master Plan for biosolids management and disposal.

Massachusetts Transportation Infrastructure

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.
  - Statewide there are 5120 bridges in Massachusetts, almost 2000 of which are 50–70 years in age. MassDOT's Accelerated Bridge Program helped to reduce the number of structurally deficient bridges, but more needs to be done.
  - 30,000 miles of roads and bridges under municipal control (representing nearly 90% of all road miles statewide.) Cities and towns need consistent and adequate support to maintain these roads and bridges.
- MMA estimates that cities and towns need approximately $715 million in FY 2024 alone, to ensure that local roads and bridges are maintained in a state of good repair.

Massachusetts Transportation Infrastructure

- **We urge a timely review of transportation revenue alternatives including tolling, 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 Vehicle Miles Traveled fee may be an efficient means to replace the current gas tax.**

- **Funding to support fleet and equipment electrification**
  - **The energy transition is underway, and transportation agencies and communities need dependable fiscal resources to make the transition. Funding to purchase electric vehicles, new equipment, or support for charging station infrastructure and siting is needed across the Commonwealth to get past initial investment challenges.**
  - **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

- 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 increased use of tolling, in conjunction with the other New England states or a pilot project for collecting fees on VMTs (Vehicle Miles Traveled.)
- Support Regional Transportation Ballot Initiatives that 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.
- Support initiatives that will help offset investments in the energy transition.

Maximizing Private Sector Innovation - We Oppose 3 bills

- **Oppose: H.3305,** An Act to assure safety, efficiency and accountability in transportation projects through public inspections, Representative Daniel M. Donahue of Worcester, currently in Jt Committee on Transportation

- **Oppose: S. 2035,** An Act to promote safety, efficiency and accountability in transportation projects through public inspections, Senator Michael O. Moore currently in Joint Committee on State Administration and Regulatory Oversight

- **Oppose: S.2047,** An Act relative to protecting the taxpayers of the Commonwealth, Senator Marc R. Pacheco, currently in Joint Committee State Administration and Reg

Maximizing Private Sector Innovation

- 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.

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

QUESTIONS?