



Supporting Housing Growth by Investing in Water Infrastructure

As the Massachusetts legislature continues its efforts to facilitate the development of more affordable housing throughout the Commonwealth, water infrastructure remains intrinsic to any long-term solution. Without access to water infrastructure that provides drinking water or removes wastewater, there is little chance of building affordable housing, much less one affordable house. Thankfully, the Commonwealth has a variety of resources and programs that – if supported or reviewed – could ensure that the means of building more affordable housing remains realistic. Consider the following opportunities to invest in water infrastructure that supports the growth of our housing inventory:

- Permanently Waive MWRA Admission Fees. Communities across the Commonwealth are currently faced with a variety of issues related to their local water supplies. Regulations for emerging and known contaminants such as per- and polyfluoroalkyl substances (PFAS) have resulted in public water suppliers contemplating new or additional water treatment. Communities in the midst of dealing with water quality or quantity issues have limited opportunity to grow their local economies, including those communities growing in an environmentally sustainable way, when water supplies become limited or unreliable. The MWRA, recognizing their potential role in assisting more communities than their current membership in meeting these challenges, recently waived their entrance fee for a period of five (5) years. To the extent feasible, the MWRA should be authorized to eliminate its admission fee, recognizing that it may still need to limit withdrawal amounts as a responsible steward of its membership’s water resources.
- Funding Entry into Regional Water Authorities (Section 31A of Chapter 259 of the Acts of 2014). The Massachusetts legislature last looked at the variety of programs and policies that underpin the Commonwealth’s water infrastructure system in 2014. In passing Chapter 259 of the Acts of 2014, the Massachusetts legislature recognized that almost every regional water authority requires municipalities to pay “admission fees” to join these entities. As is often reported by municipalities, the admission fees create a barrier to joining a regional water authority. Since every regional water authority may not have the resources or circumstances to “waive” this admission fee, the Massachusetts legislature should fund Section 31A of Chapter 259 of the Acts of 2014, which provides a 1:1 matching program for municipalities to join a regional water authority. As highlighted above, stricter regulations for emerging and known contaminants have made it cost prohibitive for many municipalities to address these circumstances alone. Without this type of relief, many municipalities will not be able to sustain significant housing growth within their borders.
- Review the Interbasin Transfer Act (ITA). The Massachusetts Interbasin Transfer Act (Mass. Gen. Laws Ch. 21, §§8B-8D) became effective on March 8, 1984. The Act gave the Massachusetts Water Resources Commission (WRC) authority to approve or deny transfers of water or wastewater outside of its river basin of origin. Pursuant to the Act, the WRC promulgated regulations (313 CMR 4.00) defining and delineating the river basins of the Commonwealth and establishing application procedures and the criteria upon which the WRC bases its decision to approve or deny an interbasin transfer application. As an interbasin transfer is defined as any transfer of surface, groundwater, or wastewater of the Commonwealth outside of its river basin of origin, certain water authorities are held to a higher standard of compliance despite having an abundance of water under their control. Since the ITA was passed exactly 40 years ago, it is time to study this law to see whether it is meeting its original goal – particularly where there is an ability to meet a community’s water needs for developing new, affordable housing.
- Increase Funding for the HousingWorks Program. The HousingWorks Infrastructure Program (HousingWorks) has made investments throughout the state since 2023 (FY24). The program, patterned after the very successful MassWorks Infrastructure Program (MassWorks), has the potential to be a key facilitator for housing growth. Accordingly, increasing the potential amount of bond funding from \$175 million to \$225 million will allow for the ramping up and growth of this program in unison with the anticipated growth in need as a result of the significant increase in housing production. While HousingWorks is relatively new, the model is a successful one.

The upcoming housing bond bill presents the opportunity to launch the Commonwealth’s affordable housing production forward. Without recognizing the key role water infrastructure plays in this growth, the opportunity to fully recognize the potential for creating substantial, affordable housing will be lost. Supporting key water infrastructure policies today will lead to increased housing tomorrow.