



## In This Issue

[Guerin: Proposed Legislation is Just the Start of Solving Water Needs Problem](#)

[Get Ready for SWMI Regulations](#)

[CLF Re-files Complaint vs. EPA in Cape Cod Case](#)

[U.S. Mayors Seek Water Funding, Flexibility](#)

[Reminder: Board Meeting November 19](#)

[Tell Us What You Think](#)

Welcome to the Fall edition of the Coalition newsletter.

Debate is surging on Beacon Hill about how to help cities, towns and water districts tackle their enormous and costly water infrastructure maintenance needs, and the Coalition is in the thick of the conversation.

In oral and written testimony highlighted below, Coalition members have been imploring legislators for a long term commitment to providing new and creative ways of helping communities deal with this daunting challenge, including increased funding, regulatory reform and better science.

We hope you will add your voice to the growing number of people from the public, private and government sectors who say that now is the time for meaningful state-assisted water infrastructure investment.

And wouldn't it be nice for groundbreaking legislation to be passed this year as one of the Coalition's founding members, Bob Moylan, retires after 42 years of exemplary service to the City of Worcester.

Best wishes, Bob! The Coalition will continue to be inspired by your dedication and leadership!

## Guerin: Proposed Legislation is Just the Start of Solving Water Needs Problem

A flurry of recent activity on Beacon Hill to help address the difficulties cities and towns face in meeting their enormous water infrastructure challenges is welcome news to Phil Guerin, president of the Massachusetts Coalition for Water Resources Stewardship. But to Guerin, it really only marks the first step in a long but vital journey.

"It's good to see the conversation happening, but the legislation being proposed comes nowhere near addressing the potential \$40 billion funding gap municipalities face in meeting their water infrastructure needs," said Guerin, Director of Environmental Systems for the City of Worcester Department of Public Works & Parks. "And the burdens on cities and towns are only going to increase."

Among the more than 35 pieces of water-related bills filed this fall, [Senate Bill 1880](#) - championed by President Therese Murray and 20 other senators - appears to have the most traction. The bill was heard before the Joint Committee on Environment, Natural Resources and Agriculture last week, just three weeks after it was filed by Senator James Eldridge. A vote before the full Senate is anticipated as soon as this month.

"MCWRS applauds the Senate President and Senator Eldridge for their efforts to raise awareness about the need for greater state assistance to municipalities and districts burdened by enormous costs to maintain and improve water infrastructure," Guerin said. "We see this bill as a beginning to what must be a long term commitment by the state to find new and creative ways to help communities grapple with infrastructure maintenance."

Guerin, co-chair of the Massachusetts Water Works Association's legislative committee, was disappointed that the Senate bill lacks the types of dedicated funding that [House Bill 690](#) and Governor Deval Patrick's

## Closing the Gap

The Massachusetts Water Infrastructure Finance Commission says that closing the funding gap in the Commonwealth will require a combination of strategies:

1. Raise revenues
2. Operate our water, clean water, and stormwater utilities



more efficiently

3. Assist towns in retiring their debt

4. Address the issue of affordability

5. Promote environmental sustainability

6. Promote innovation

7. Continue the work of the commission

8. Educate the public

Read the Finance Commission's report [here](#).

[bill](#) offer. The Senate bill would increase by \$50 million the annual amount that municipalities could borrow from the state's Water Pollution Abatement Trust, and also allow interest rates lower than the current 2 percent, provided applicants meet certain criteria. (Read the [Coalition's comment letter](#) on Senate Bill 1880.)

House Bill 690 would create a 10-year Water Infrastructure Bond providing \$200 million per year to fund local drinking water, wastewater and stormwater improvements; the environmental bond bill incorporates funding for improvements to environmental infrastructure contained in the administration's five-year capital investment plan (2013-17), including \$57 million for the Water Pollution Abatement Trust.

Guerin sees this as an opportune time for cities, towns and other stakeholders to join the MCWRS.

"Part of what the Coalition does is keep our members informed of and engaged in legislative issues, and the more voices we have the better," Guerin said. "The Coalition has played a part in the process to get us to this point, but the key now is that the conversation continues."

To learn more about the Coalition and how to become a member, [visit our website](#).

## About the Coalition

The Massachusetts Coalition for Water Resources Stewardship (MCWRS) is a nonprofit organization committed to promoting watershed-based policies and regulations that

## Get Ready for SWMI Regulations

While keeping one eye on Beacon Hill, municipalities also must prepare to weigh in on upcoming revisions to the [Sustainable Water Management Initiative](#) (SWMI) regulations under the Water Management Act, which are expected in the next 3-6 months.

Last month, Guerin and fellow Coalition board member Alan Cathcart from Concord gave a SWMI primer to the Massachusetts Water Works Association Fall Forum. Representatives of two of the SWMI pilot communities, Shrewsbury and Amherst, also were on the panel to offer their perspectives on what to expect from the new regulations.

SWMI was originally touted as a holistic approach to water management; however, SWMI's focus is strictly limited to further regulating permitted water withdrawals by public water suppliers and water systems with Water Management Act permits. The scientific basis of SWMI has been questioned by water suppliers, along with the costs of compliance, environmental benefits to be derived and many facets of implementation.

As described by Alan Cathcart, "SWMI is coming! It is a process with regulatory, legal and political components and those impacted need to be involved on each of these fronts. Communities and water system managers need to educate themselves and others about how SWMI will affect them, coordinate efforts through organizations like the Coalition, MWWA and the Massachusetts Municipal Association to share experiences and strategies, participate in the rule-making process, and plan for future compliance or permit avoidance. Impacted systems should not overlook the benefit of including their state legislators in the discussion and in understanding the permit appeals process."



effectively manage and conserve water resources.

MCWRS is unique in its focus on protecting municipalities' interests in an ever changing regulatory environment. We promote using scientifically based, fiscally responsible approaches to realize environmental and community goals.

Members include municipalities; public agencies that transport and treat drinking water, wastewater and stormwater; quasi-government agencies; and private organizations whose members are committed to the principles of stewardship and sustainability in protecting the environment and public health.

Invite your colleagues to visit the [Coalition website](#) for membership information.

Stay on top of the SWMI regulations process by subscribing to the Coalition's blog from our website's [home page](#) or follow us on Twitter (@MCWRS ) or like us on [Facebook](#).

## CLF Re-files Complaint vs. EPA in Cape Cod Case

The Conservation Law Foundation (CLF) has filed a new action against the EPA in which it again seeks to hold EPA accountable for reducing nitrogen pollution in Cape Cod area waterways.

In August, the U.S. District Court in Boston dismissed a legal challenge by CLF and the Buzzards Bay Coalition to EPA's approval of Total Maximum Daily Loads (TMDLs) in and around Cape Cod. The court ruled that the plaintiffs did not have standing to challenge EPA's approval of the TMDLs.

In his [Legal Update column](#), attorney Robert D. Cox Jr. of Coalition member Bowditch & Dewey LLP analyzes the latest developments in the case and the issues particularly of note to the Coalition.

## U.S. Mayors Seek Water Funding, Flexibility

The U.S. Conference of Mayors is urging Congress to help make it easier and less costly for cities and towns to make crucial water quality system improvements needed to deliver water services and protect the environment.

This summer, the Conference of Mayors [passed a resolution](#) calling for a renewed federal-local government partnership that would ensure that the mandates levied upon municipalities by the Clean Water Act and the Safe Drinking Water Act are not only achievable but, equally important, affordable. The resolution highlighted that municipalities spent \$111.4 billion in 2010 providing essential water services and meeting federal and state water and wastewater mandates. This annual amount is nearly double the total of all the grants previously provided by the federal government over 20 years!

Recommendations in the resolution include an influx of federal funding for water system infrastructure improvements and amendments to the Clean Water Act that provide for longer and more flexible permit terms; the revision or removal of certain regulatory standards; and the support of adaptive management and integrated planning to help prioritize projects that will provide the greatest environmental benefit for the funds expended.

The Coalition's Board of Directors unanimously supports the Conference of Mayors' resolution, which addresses many of the major issues of concern to Coalition members. Draft legislative language based on the Conference of Mayors' resolution is being written and will be introduced in Congress. Stay tuned for updates about when the legislation is filed and what you can do to help.

## Reminder: Board Meeting November 19

The next Coalition Board Meeting will take place on Tuesday, November 19, from 10 a.m. to noon at the [Marlborough Public Library](#), 35 West Main St., Marlborough, MA 01752. Please RSVP to [info@mcwrs.org](mailto:info@mcwrs.org) if you plan to attend so we can ensure there's enough space.

## Tell Us What You Think

Please let us know your thoughts on this newsletter or if you have news items or



Massachusetts Coalition for Water Resources Stewardship

any suggestions for article ideas. Please [email Ken Krause](#) or call him at 617-357-5772 x 17.

And don't forget to connect with us online - like us on Facebook, follow us on Twitter or subscribe to our blog at the links below to stay up-to-date on breaking news and the latest Coalition initiatives.

### Connect With Us

