



Testimony submitted to the Joint Committee on Municipalities and Regional Government  
In Support of S.1126 An Act mitigating water resource impacts  
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Massachusetts is in some regions a densely populated state. While we have an overall abundance of water, sometimes water isn't always readily available to a local municipality. Development can and has stretched municipal water resources beyond their capabilities. New developments can strain infrastructure and add substantially to municipal costs in ways that are borne by those communities long after the developer has completed a project. Adoption of this bill will provide much-needed added resources for municipalities to help them comply with environmental regulations and maintain or upgrade their infrastructure to meet the increasing needs caused by development. Currently, the only way to do this assesses all property in the water authority equally. That method doesn't require any new development to shoulder its fair share of the added burden which it has created on water resources.

Water authorities already have the authority, if they opt in, to collect fees into a "municipal water infrastructure investment fund," a surcharge on existing real property for maintenance of water infrastructure assets. This existing law applies uniformly to all property within a locale when it opts in.

This bill allows for a municipality to also opt into a "water-banking fee" system, allowing the municipal water authority to collect a fee up front for new developments. That fee can be used exclusively for all water infrastructure-related projects. These funds would, therefore, be available to cope with the effects of development. Since the bill also allows the fees to be based on the net impairment to the water system caused by the development, its adoption will encourage developers to use best methods to minimize water consumption, waste water release and storm water mitigation.

Sen. James Eldridge's bill addresses this issue by adding a carefully crafted section to MGL Chapter 40, Section 39. H.2116, sponsored by Rep. Carolyn Dykema, is an identical bill with a different title, and was referred to the Joint Committee on Environment, Natural Resources and Agriculture. We note that the Massachusetts Municipal Association is supporting this bill, and we applaud the MMA's efforts to enable cities and towns to cope in an environmentally responsible way with the added burdens on water infrastructure caused by new developments.

Since 1983, the League of Women Voters of Massachusetts has supported means to protect our critical water resources and to repair and rehabilitate water systems. That is exactly what these two bills do. The LWVMA supports this bill and asks that you favorably report this bill out of committee. Thank you for your consideration.