

Executive Order

Commonwealth of Pennsylvania Governor's Office

Subject: Sustainable Water Infrastructure Task Force

Number: 2008-02
As Amended

Date: April 28, 2008

By Direction of: Edward G. Rendell, Governor

Edward G Rendell

WHEREAS, Pennsylvania's water infrastructure, including its drinking water facilities, wastewater facilities and transmission systems is integral to the Commonwealth's economic, environmental and cultural vitality; and

WHEREAS, aging infrastructure, population growth, economic development, and regulatory requirements to protect public health and water quality are creating a growing demand for investments in water and wastewater infrastructure; and

WHEREAS, much of the Commonwealth's core drinking water and wastewater treatment system infrastructure has passed the quarter-century mark, with many of its pipe systems dating from the suburban population boom of the post-World War II era and some of this pipe network exceeding 100 years in service; and

WHEREAS, overuse and chronic under-funding of operations, maintenance, repair, rehabilitation and replacement have taken an increasing toll on infrastructure adequacy; and

WHEREAS, based on the latest Pennsylvania Infrastructure Need Surveys, the Commonwealth has at least \$10.9 billion in unmet drinking water infrastructure needs and at least \$7.2 billion in unmet wastewater infrastructure needs, not including the critical need for ongoing investment in operation and maintenance of that capital; and

WHEREAS, new additional federal requirements and regulations for the treatment of drinking water and wastewater will require a significant investment in the upgrade of Pennsylvania's water infrastructure to achieve compliance; and

WHEREAS, in the past five years, the Rendell Administration has increased the level of financial support for water infrastructure through a number of programs managed by the Pennsylvania Infrastructure Investment Authority and the Departments of Community and Economic Development and Environmental Protection, and increased support

for successful municipal capacity-building compliance assistance programs to help optimize the operation of Pennsylvania's water infrastructure, providing a total of \$1.4 billion through 2006 to provide safe drinking water to Pennsylvania's citizens and protect our valuable water resources; and

WHEREAS, major capital investments in water and wastewater infrastructure have historically been substantially funded with federal dollars, and federal support has been cut in half over the last five years; and

WHEREAS, the Legislature identified the need to develop financing solutions for sewage facilities in HR 88 of 2005; and

WHEREAS, Pennsylvania is a leader in implementation of non-structural measures such as trading strategies, water reuse and water conservation, which reduce dependence upon costly structural measures and the long-term maintenance obligations associated with such; and

WHEREAS, infrastructure dollars should be targeted to address the most serious and urgent drinking water and wastewater needs across the Commonwealth to protect public health and safety and maintain water resources capable of supporting recreation and economic development for future generations; and

WHEREAS, in order to ensure the long-term sustainability of the state's water infrastructure, Pennsylvania needs a comprehensive strategy that considers not only the initial capital investment in construction, but also the long-term technical, managerial and financial capability of Pennsylvania's water infrastructure to operate in the most cost-effective manner to protect public health, safety and the environment.

NOW, THEREFORE, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth do hereby establish the **Sustainable Water Infrastructure Task Force**, as hereinafter set forth:

1. Purpose: The Sustainable Water Infrastructure Task Force shall issue a report by October 1, 2008 that provides an analysis of the issues related to cost-effective and sustained investment in our water and sewer infrastructure, including investigation of potential funding sources and financing options with the goal of including these recommendations in the Governor's fiscal year 2009-10 budget proposal. This report should address the following issues:

a. The current and projected costs for the construction, upgrade, repair, operation and maintenance of Pennsylvania's drinking water and sewage infrastructure.

b. The projected cost savings realized by the consideration and implementation of all available non-structural alternatives.

c. The current and projected financial resources to address water and sewer services and infrastructure needs.

d. The current and projected gap between water and sewer service and infrastructure financing needs and available resources.

e. The potential sustainable funding from federal, state and local sources and public/private partnerships.

f. The actual costs of water and sewer service, including recommendations for allocating the costs of capital investment, asset management, operation and maintenance among customers and state or federal assistance programs.

g. The targeting of funds to address the most serious and urgent needs of the Commonwealth, with particular focus on protecting public health and safety, maintaining recreational opportunities, and encouraging continued economic development.

h. Recommendations for legislative or regulatory changes to promote sustainable water and sewer services, including the following components of sustainability:

(1) Effective System Management - Creation and implementation of business plans, workforce and management training, and development and the promotion of measures to ensure customer satisfaction and the protection of public health and the environment.

(2) Asset Management - Incorporation of accounting and business practices to assess and anticipate operational, replacement and long-term capital improvement costs, and to ensure such improvements are covered by available resources.

(3) Efficient Operation - Incorporation of water and energy conservation and system optimization to deliver cost-effective treatments that meet or exceed existing and future public health and environmental standards.

(4) Regionalization - Integrated water resource planning and incentives for consolidation or decentralization of water systems to achieve the best scale to facilitate professional management.

(5) Maximization of Non-Structural Solutions - Integrating conservation, water reuse, trading strategies and comprehensive water resource planning into sewer and water infrastructure planning.

2. Membership: The Sustainable Water Infrastructure Task Force shall consist of the following members or a designee:

a. The Secretary of Environmental Protection, who shall serve as chair;

b. The Secretary of Policy and Planning;

c. The Secretary of Community and Economic Development;

- d.** The Secretary of Banking;
- e.** The Executive Director of the Pennsylvania Infrastructure Investment Authority;
- f.** The Consumer Advocate;
- g.** The Chairs and Minority Chairs of the Local Government Committees and the Environmental Resources and Energy Committees of both the Senate of Pennsylvania and the Pennsylvania House of Representatives;
- h.** A representative of the Pennsylvania Rural Water Association;
- i.** A representative of the water supply industry, who shall be selected by the Governor from recommendations provided by the Pennsylvania Chapter of the American Water Works Association and the Pennsylvania Chapter of the National Association of Water Companies - Pennsylvania Chapter;
- j.** A representative of the Pennsylvania Municipal Authorities Association;
- k.** A municipal representative with experience in municipal governance, as well as water and sewer facility management, selected by the Governor;
- l.** A public representative who shall be selected by the Governor from recommendations provided by watershed associations or water quality advocacy non-profit organizations;
- m.** A representative selected by the Governor of an accredited Pennsylvania college or university with a curriculum in civil or environmental engineering with a focus on water infrastructure;
- n.** A member of the State Board of Landscape Architects selected by the Governor;
- o.** A representative of the Pennsylvania State Association of Township Supervisors;
- p.** A representative of the Pennsylvania State Association of Boroughs;
- q.** A representative of the Pennsylvania League of Cities and Municipalities;
- r.** A representative of the County Commissioners' Association of Pennsylvania;
- s.** A representative of the Pennsylvania State Association of Township Commissioners;
- t.** The Executive Director of the State Conservation Commission;
- u.** The Executive Director of the Green Space Alliance;

v. The Chair of the Pennsylvania Statewide Water Resources Committee;
and

w. A member representing business and industry selected by the Governor.

3. Staffing and Expenses: The Department of Environmental Protection shall provide staff resources to support the Sustainable Water Infrastructure Task Force. In addition, to ensure consistency with the five components of sustainable infrastructure defined in 1(h) above, program staff for the Pennsylvania Infrastructure Investment Authority and the Departments of Environmental Protection and Community and Economic Development shall review all existing policies, procedures, rules, regulations and program guidance governing the planning, permitting, operation and maintenance as well as provide any financial and compliance assistance related to Pennsylvania's water infrastructure.

4. Relationship to Other Agencies: All agencies under the Governor's jurisdiction shall cooperate with and provide any necessary information and assistance to the Sustainable Water Infrastructure Task Force in fulfilling the mandate under this Executive Order.

5. Effective Date: This order shall take effect immediately.