



On behalf of the leading engineering and water utility organizations that design and manage the nation's (and Oregon's) water systems, we are joining together to raise serious concerns over materials preference legislation that – under the guise of promoting “open competition” -- seeks to legislate technical decisions related to pipes and other materials that should be made by licensed engineers and local communities.

We share a strong commitment to ensuring that Oregonians have access to safe, healthy, resilient and adaptive water and wastewater systems. The engineers, water professionals and local communities take this responsibility very seriously, as we have an obligation to protect public health, to use limited public resources in the most efficient manner possible, and to promote economic development.

Unfortunately, there have been efforts nationally that seek to undermine these goals, supersede local engineering expertise and professional judgment and impose new mandates on communities with the sole purpose of using government to promote the use of plastic pipe for various water projects. HB 4043 would prohibit a local government from adopting upfront specifications for their water systems when state funds are used either directly or indirectly. This bill establishes a dangerous precedent by making it more difficult for local governments to select the types of piping materials that works best within their unique water systems.

The marketplace for pipes and other materials is already open and competitive, which calls into question the stated purpose of this legislation. More importantly technical decisions on materials such as pipes should not be made in the political arena, but rather by professional engineers and those tasked with building and maintaining our critical water/wastewater infrastructure. These decisions should be based on the unique needs of each system, taking into account critical factors such as structural integrity, soil compatibility, maintenance and life cycle costs. **While certain pipe material may appear to be a better option based on initial acquisition costs, it may be more expensive to install, maintain, replace, repair, and train personnel, if that material is not suitable for the project conditions.** This could result in higher life-cycle costs for the project, as well as environmental damage or permit violations.

Imposing new materials mandates not only interferes with sound engineering judgment, but also with the ability of communities to manage their systems as efficiently as possible. Communities should remain free to adopt system-wide best management practices and uniform specifications in the development, repair and maintenance of their water systems to maximize efficiency and control costs, rather than forcing them to comply with more red tape from above.

It is our understanding that efforts to pass similar legislation in 13 other states have been uniformly rejected for the reasons stated above, as have previous efforts to pass this legislation in Congress. On behalf of the thousands of public water and wastewater systems in Oregon, the engineers who serve them, and the public served by them, we respectfully urge you to oppose HB 4043.

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