



# Advisory Board Meeting

Thursday, January 15, 2015  
11:30 AM

Samuel Hadley Public Services Building  
201 Bedford Street  
Lexington, MA

**Attendees (Voting Members)**

Michael Rademacher	Arlington	J. R. Greene	Gubernatorial Appt	Michael Coffey	Quincy
David Manugian	Ashland	Bill Hadley	Lexington	Jeff Zager	Reading
Roy Sorenson	Bedford	Jim Finegan	Lynnfield	Brendan O'Regan	Saugus
Michael Bishop	Belmont	Amy McHugh	Marblehead	Jack Mitchell	Stoughton
John Sullivan	Boston	Katherine Dunphy	Milton	Walter Woods	Wellesley
Jay Hersey	Brookline	Kannan Vembu	Natick	Jeff Bina	Westwood
John Sanchez	Burlington	John Cosgrove	Needham	Joe Lobao	Wilmington
Tim MacDonald	Cambridge	Lou Taverna	Newton	Thomas E. Reillu	Winthrop
Andrew DeSantis	Chelsea				

**Other Attendees**

Jay Marcotte	Belmont	Kathy Soni	MWRA	Joseph Favaloro	AB Staff
Gregory LaBumbad	Belmont	David Whelan	MWRA	Matthew Romero	AB Staff
George Burnell	Lexington	Len Cawley	MWRA	Cornelia Potter	AB Staff
Phil Jasset	UCANE	Andreae Downs	WAC	Travis Ahern	AB Staff
Jonathan Yeo	DCR	Sean Navin	MWRA	Mary Ann McClellan	AB Staff
Tom Durkin	MWRA	Lexi Dewey	WSCAC		

Forty-two people were in attendance, including twenty-five voting members.

**Minutes Approved at the March 19, 2015 Meeting**

**A. APPROVAL OF THE NOVEMBER 20, 2014 MINUTES OF THE ADVISORY BOARD**

Chairman Katherine Haynes Dunphy called the MWRA Advisory Board meeting to order at 11:35 a.m. and introduced Public Works Director Bill Hadley, who welcomed everyone to Lexington. A motion was made **TO APPROVE THE NOVEMBER 20, 2014 MINUTES OF THE MWRA ADVISORY BOARD.** It was seconded and passed by unanimous vote.

**B. REPORT OF THE EXECUTIVE DIRECTOR**

MWRA Advisory Board Executive Director Joseph Favaloro noted that the workshop held in October on stormwater was a great success. A stormwater section was also included in the Advisory Board's 2014 Annual Water and Sewer Retail Rate Survey. Staff has been active in promoting dialog on stormwater and stormwater issues. The Advisory Board has been nominated for the New England Water Works Association's "Stormy" award.

Mr. Tedder from EPA came to the November Advisory Board meeting to talk about stormwater permits. The comment period for the permit has been extended through February 27, 2015.

Staff has been working closely with the Authority to determine when to reconvene the Long-Term Rates Management Committee (LTRMC) and to hold discussions on other post-employment benefits (OPEB) impacts. The LTRMC will meet in February, with Chairman Katherine Dunphy and Executive Committee Member John DeAmicis representing the Advisory Board. The committee will determine how best to use the released reserves, whether it be for paying debt, OPEB, or other options.

Mr. Favaloro noted that there have been some significant changes to the MWRA Board of Directors and MWRA staff over the past couple of months.

First, MWRA Board of Directors Chair Maeve Bartlett, who was part of the Patrick Administration, has been replaced by Matthew Beaton, who was appointed by the Baker Administration as the new Secretary of Energy and Environmental Affairs. Brian Swett from the City of Boston will also be replaced via an appointment by Mayor Walsh. In addition, Joel Barrera, who was a gubernatorial appointee on the Board, has joined the Baker Administration as Deputy Chief of Staff for Cabinet Relations.

In regard to MWRA staff, Karen Gay-Valente took over as Human Resources Director, Kevin McCluskey, who had been in charge of intergovernmental affairs, has left the MWRA and has been replaced by Sean Navins, who came to the MWRA from the Executive Office of Energy and Environmental Affairs. These changes were made last month.

This month, there has been even more changes. MWRA Director of Administration and Finance (A&F) Rachel Madden has taken the position of Undersecretary of Administration and Finance in the Baker Administration. With Ms. Madden's departure, the Authority took another look at the A&F Department and decided to reorganize. The Director of Administration for the Authority is Michele Gillen and the Director of Finance is Thomas Durkin. Matt Horan has been promoted to Treasurer, the position Mr. Durkin just left. The one common theme, with one exception, is that these appointments "came from the bench."

**C. PRESENTATION: MWRA ADVISORY BOARD LEGISLATORS OF THE YEAR**

The Advisory Board's "Legislator of the Year" awards will be presented to Representative Carolyn Dykema, House Majority Leader Ron Mariano and Senators Jamie Eldridge and Anthony Petrucci for their diligent efforts in passing the Infrastructure Bill. The next challenge is to move the bill from authorization to appropriation. The presentations will be made in March.

**D. PRESENTATIONS: DCR'S WATERSHED DIVISION ACCOMPLISHMENTS / CHALLENGES – Jonathan Yeo, Director, Division of Water Supply Protection**

Jonathan Yeo, Director of the Division of Water Supply Protection (DWSP), made a [presentation](#) on the accomplishments and challenges of the DWSP. DWSP has about 150 staff members consisting of scientists, engineers, planners, rangers, labor trades, foresters, budget staff and wildlife managers. Employees are split between the Quabbin and Wachusett and some staff are in the Boston area as well. DWSP has an operating budget of nearly \$15 million and makes about \$1 million in revenue from a variety of sources. DWSP staff works closely with MWRA Budget Director Kathy Soni and her team on fiscal coordination.

The Water Supply Protection Trust, of which Katherine Dunphy is a member, approves the Division's annual work plan and budget. There is a lot of regulatory oversight from DEP on the watershed control program, which has to meet some really tough rules for an unfiltered water supply.

On a day-to-day basis, staff is concerned about the fecal coliform and turbidity standards at the intakes, which must be met every day. There is a short-term and long-term water quality focus as well. Staff also has to deal with public access in and around the watersheds every day.

The watersheds are the Quabbin, Ware and Wachusett, and the Sudbury is managed as a backup supply. The Department of Conservation and Recreation (DCR), along with the MWRA, is responsible for bringing safe drinking water to the communities and the customers' taps.

We have a forest-filtered water supply system that provides the best tasting water in America. The organization has a detailed planning process that is updated every five to seven years and we have a watershed protection plan in coordination with DEP and the MWRA. We have public access plans that are updated every five to ten years. There are also land management plans that deal with forestry and roads. DWSP staff also identifies potential contamination sources for the watersheds and reservoirs.

Threats at Quabbin and Wachusett that fall under the "High" category are from wildlife (gulls come to the intakes and threaten fecal coliform) so staff has a program to deal with that. Highways and railroads are also a threat at Wachusett. These are major threats to the water supply and DWSP is addressing them in tandem with the MWRA. There are also "major" and "low" threats that DWSP has plans for, and programs and efforts that are underway for security threats as well.

DWSP likes to protect land through ownership or agreement. The land acquisition program has been very successful targeting land across the watersheds. Over \$140 million of ratepayer money has been spent buying land. This acquisition program is being done on a limited basis at this point. The lands are managed to protect water quality and staff works with communities to foster watershed protection. There is a lot of coordination between DCR and the MWRA.

Mr. Yeo said there are six things that he worries about most. In the watersheds, water quality concerns center around bacteria; turbidity has to do with the intake water quality standard; pathogens (*cryptosporidium* and *giardia*) – MWRA's treatment system is excellent for dealing with these pathogens; chemical spills or discharges, algae and plankton, which cause taste and odor issues; and, finally, nutrients – DWSP has concerns about long-term loading. There is an extensive sampling of the streams. The watershed has become a bit more suburbanized over time and staff wants to ensure that it is not heading in a bad direction.

There is a lot of water quality monitoring and sampling going on in the upper streams that feed the Wachusett. There are a set of monitoring stations within the reservoir itself that is five miles long and there is a lot of diversity in water quality across the reservoir. Between the two agencies, DCR and MWRA, monitoring and sampling are done. The same monitoring and sampling applies to the Quabbin as well. Water quality testing in streams and intakes and various locations around the massive reservoir are undertaken.

The 2014 Quabbin deer hunt was very successful; we harvested about 105 total deer at Quabbin over a four-day time period. Staff manages the deer in such a way to sustain a population density that allows the forests to regenerate. Our data has shown, over time, as we have implemented it that the forests are regenerating the watershed forest, which is our filtration system. There are moose in the watershed as well.

We see the forests as part of our natural infrastructure that is part of the water supply system. A healthy, well-managed forest leads to high quality protected source water, needing less treatment, energy and chemicals. It is also a better tasting water.

We see the watershed forests as being optimally as a diverse set of trees, different ages, different seasons and something that can withstand major events, such as hurricanes, pest invasions of various kinds.

For 50 years, there has been an active watershed forestry program as a way to continue to create diversity in our forests. This year there are a number of projects underway at Quabbin and additional projects are planned. Staff does all the marking of the trees and determines exactly what trees will be cut so when it is put out to bid, we closely monitor the logging that happens. It is a tightly controlled program that has been quite successful over the years. We re-tooled it a couple of years ago and we have a lot of public involvement in reviewing the projects.

Aquatic invasive species can be a threat to water quality and to the infrastructure. Invasive aquatic species include zebra mussels, water-chestnut and milfoil; we have also had scares with hydrilla near the Wachusett Reservoir and we have found a new organism called brittle naiad at the Quabbin this year.

Moving on to the land pests, we still have the Asian Longhorn Beetle (ALB) that originated in Worcester a number of years ago; there is a very active federal and state program to address the ALB. It is thought that the ALB infestation began about 12 years ago. The goal is to keep the infestation from moving further into the watershed forest; it would be quite devastating if that were to happen. The foresters will cut the host trees to prevent the spread of the ALB.

DWSP works closely with the MWRA on a management plan for aquatic invasive species with different aspects of treatment and removal and monitoring. The MWRA has a program at Stillwater Basin, which is part of the Wachusett Reservoir, to physically remove through diver-assisted suction harvesting a large amount of milfoil that has been there for a number of years. This program has been quite successful.

Moving onto gulls, staff continues to focus on this number one threat to water quality. We track the gulls to find out where they are feeding and have posted signs about not feeding them. Chasing the gulls away is a costly effort; they are chased away with boats, air-boats, lasers and pyrotechnics.

The gulls leave once the Wachusett freezes over, which happened recently, and the Quabbin usually freezes about ten to fourteen days after the Wachusett.

Another big concern of the two agencies is to deal with the potential of a hazardous materials spill from the PanAm Railroad that essentially crosses right over the Wachusett Reservoir. The crossing is five miles away from the Cosgrove Intake; however, if something spills into the Reservoir, everyone will stop drinking the water at that instant. Sponsored by PanAm, MWRA, DCR, and municipal regional emergency response officials, we had an event in December called "Bad Day at the Basin," which was a tabletop exercise to analyze what would happen if a spill were to occur at the reservoir and who would be communicating and how. This tested the protocols and response capabilities of the various responding agencies. There were 28 players, observers, facilitators and evaluators which really tested the coordination and communication, a situational assessment and the response to it and public information. Valuable lessons were learned.

This fall, a fishing area was dedicated to retired state Senator Stephen Brewer. Senator Brewer had a lot to do with creating the Water Supply Protection Trust; he supported the watershed and the MWRA as well.

DWSP has the responsibility for endangered species, working with the Department of Fish and Game, and have been building rafts to allow loons to nest because the reservoirs go up and down so much it doesn't help their nesting. Staff has been successful in increasing the loon population.

Continuing challenges and threats for 2015 are stormwater runoff and illegal public access. Staff will continue to work on infrastructure improvements and security issues as well.

A number of years ago, a developer took down the trees on an entire hillside and created a giant mess. Through enforcement action by a variety of agencies, he was fined and had to do remediation work. Unfortunately the developer is back and he started construction on the Brice-Lemon Estates without any permits. Staff issued an enforcement order under the Watershed Protection Act and the developer is now in front of MEPA coming up. Staff has carefully documented some of the issues on the site and it will be a big focus for staff this year to make that this development, if it is done, is done in a way that is not going to harm this area.

Mr. Favaloro added that there is not sufficient water from the Town of Rutland to service them and there is no capacity for a sewer line. Mr. Yeo noted that they are building on top of the wetlands as well.

Mr. Yeo noted a new challenge is off-road mountain biking. There has been a lot of devastation to the watershed caused by this new activity, which has accelerated in the last couple of years.

At the Ware River, DCR owns about 25,000 acres of land, which is largely a tributary to the Quabbin. We don't have a lot of staff there so there is not much of an enforcement capability. Unfortunately some people have illegally taken over the Ware River. People have been coming in with machetes and creating paths, disobeying the public access rules and regulations. There are 80 miles of dirt roads in the Ware River area where bicycling is allowed. There are other locations outside of the watershed area that allow mountain biking but it is not allowed in the watershed forests. The rules are very clear. There is very limited staff at the Ware River. We make substantial payments in lieu of taxes to these towns. More disturbing is that these people have been abusing rare and endangered species habitats in the watersheds. Warnings have been issued.

Mr. Favaloro asked if these actions should be considered more serious than a warning. Mr. Yeo said we are actively discussing what additional enforcement measures can be taken. Discussions have been held with the environmental police. The problem with mountain bikers is that they are hard to catch.

Chairman Dunphy noted that there had been a moratorium on forestry but now you are back in business. What would be the right level for forestry work? Mr. Yeo said we have now ramped up to put out new lots to bid on a quarterly basis and there is an internal review to be careful on making sure these aesthetic issues are addressed. In terms of revenue, there is a lag time because the contractors have time after winning the bid to get ready to do the work. There is now revenue coming in, more toward the second half of the year.

## E. COMMITTEE REPORTS

Executive Committee – Katherine Haynes Dunphy

### ❖ LEGISLATIVE UPDATE

Mr. Favaloro noted that two bills have been filed. One bill is in reference to Duplicate Payments In Lieu of Taxes and the other is for Debt Service Assistance; they were filed by House Majority Leader Mariano's office this past week. Over the next two-year legislative session, these are the areas that staff will be concentrating on. In addition, as relates to the Infrastructure Bill that was passed in the last session, staff will focus on bringing the funding for this bill to \$138 million, relating to the inflow/infiltration (I/I) monies, entrance fees, and all of the components of the bill that are necessary for the water and sewer infrastructure.

### ❖ STATUS: CO-PERMITTEE SUIT VS. EPA

A few months ago the Advisory Board's Executive Committee voted to participate in the appeal of the co-permittee language for the Charles River Pollutant Control District's (CRPCD) National Pollutant Discharge Elimination System (NPDES) permit. They have had their hearing before the Appeals Board in Washington in the past month. Appeals Board Members asked why Region 1 was the only region in the country to have co-permittees. That is forcing co-permittees on entities that have not received prior notice on the fact that they would be a co-permittee to another entity's permit.

### ❖ ADVISORY BOARD TRACKING SYSTEM / WEBSITE UPDATE

The Authority tracks projects through its Orange Notebook. Advisory Board staff is putting into place a way to track Advisory Board recommendations on its website to see if progress has been made for various recommendations.

Director of Communications Matthew Romero stated, similar to the Authority, staff plans to update this data on a quarterly basis. Essentially, staff took the biggest goals it would like to reach, put them in alphabetical order, and listed them on the website beginning with the main goal for each of them. If you click on the goal, it will then drop down and reveal the next level of information, such as what steps staff is hoping to make over the next timeframe and what it would like to accomplish for this particular topic.

If you continue to drop down, it will also show current activities on the topic, as well as activities from the prior year. If there is a related comment or history over the years, there will be links to previous comments, indicating the year, and it will link through to discussions and show the pages to review.

It is a good way for staff to keep forward motion on these topics.

Mr. Favaloro requested that Mr. Romero show members the molybdenum topic. Mr. Romero said the overall goal of the Advisory Board is to allow in-state, year-round distribution of MWRA pellets. For six months of the year, the amount of molybdenum found in the MWRA pellets is of an amount that is greater than is allowed to be used in state. Those pellets cannot be sold, given away, or utilized in the state of Massachusetts. They have to be shipped out of state to other markets in other areas.

For 2015 goals, staff is looking to develop a strategy to achieve year-round distribution of the pellets. Staff is trying to identify key MWRA staff to work with as this has not been a topic that has been pushed by the Authority or the Advisory Board in a direct manner so we want to make sure we find the right staffers to communicate with. The “in process” portion for molybdenum would be that staff is looking at drafting a letter to the MWRA Executive Director. Mr. Favaloro said our intent has always been the “carrot.” In this case, the carrot was how to work cooperatively with the entities and the Commonwealth of Massachusetts to get to a more reasonable, defensible level for molybdenum. The Commonwealth’s level is 25 mg/kg, while the federal government’s level is 75 mg/kg. Working cooperatively with the Authority, we would like to go to DEP and ask how they got to 25 mg/kg. DEP has currently said they don’t have the information on how that number was derived because it was created by a former staff member.

Staff went out and searched for this information from other state’s and found that New York has a level of 40 mg/kg, based on an ivy-league Cornell study that is descriptive. They had a process and an explanation on why it shouldn’t be 75 mg/kg, but clearly shouldn’t be 25 mg/kg either.

We engaged DEP Commissioner David Cash and his staff on this topic and provided them with information. Mr. Cash has since left this position with the change in administration. The new head of DEP is Martin Suuberg who is a long-time DEP/EOEEA employee. These are the “carrot” attempts to get to a better number. If we can’t do the carrot, what is left? That is the “stick.” The stick will be to have the Authority change the regulations as to what can be put into the system. It most specifically impacts water cooling towers, which are currently on the top of most office buildings. We would like to work with DEP and the MWRA to bring that number up to a responsible number, based on fact. There are products out there besides molybdenum.

Mr. Romero asked for suggestions from members after they check out the website tracking system.

The I/I topic will include community allocations as well.

A member asked what the economic impact is to the Authority in not being able to use the pellets year round. Mr. Favaloro said currently it is a hidden cost because the Authority pays a lump sum to the New England Fertilizer Company (NEFCo) and they are in charge of all those pieces. It will likely be broken up in the next contract. It doesn’t make sense to ship the pellets out when there are resources and opportunities here.

#### **Operations Committee** – Lou Taverna

##### **❖ STATUS: CO-DIGESTION AT DEER ISLAND**

Mr. Favaloro stated that there has not been much change on co-digestion. Winthrop does not want trucks going through its neighborhoods to transport these materials, which required this program to be put on hold. Barging is another option being considered; however, Waste Management would need funding from the state to continue with this option. The pilot program should not be costing the MWRA money.

**Finance Committee** – Bernard Cooper

❖ **CIP/CEB UPDATE**

Staff provided a “green sheet” video on the [CIP/CEB update](#).

Mr. Romero noted that under the resources tab on the Advisory Board’s [website](#) is a tab for the green sheet videos archive. MuniWorks videos are also available at the same location.

**F. ADJOURNMENT**

**A MOTION WAS MADE TO ADJOURN THE MEETING AT 1:05 P.M.** It was seconded and passed by unanimous vote.

Respectfully submitted,



William P. Hadley, Secretary