



Advisory Board Meeting

Thursday, January 19, 2017
11:30 AM

Canton Public Library
786 Washington Street
Canton, MA 02021

Attendees (Voting Members)

Mike Rademacher	Arlington	Ralph Pecora	Lexington	Jeff Zager	Reading
David Manugian	Bedford	James Finegan	Lynnfield Water District	John DeAmicis	Stoneham
Michael Bishop	Belmont	Amy McHugh	Marblehead	Richard Palmer	UMASS
John Sullivan	Boston	Cassandra Koutalidis	Medford	Patrick Fasanello	Walpole
Jay Hersey	Brookline	Elena Proakis Ellis	Melrose	Joe Lobao	Wilmington
John Sanchez	Burlington	John Cosgrove, Jr.	Needham	James Gibbons	Winchester
Andrew Fisk	CRWC	Jeremy Marsette	Natick	J. R. Greene	Quabbin and Ware Watersheds
Blake Lukis	Framingham	Lou Taverna	Newton		
Robert Higgins	Hingham	Bernie Cooper	Norwood		

Other Attendees

Mark Levner	Brookline	Priscilla Geigis	DCR
John Carroll	MWRA BOD	Sophie Traficonte	DCR
Andy Pappastergion	MWRA BOD	Jonathan Yeo	DCR
Fred Brandon	MWRA Staff	Lenna Ostrodka	MWRA AB Staff
Steve Estes-Smargiassi	MWRA Staff	Anthony Comeau	Natick
Betsy Reilley	MWRA Staff	Tom Hemmings	Reading
Kathy Soni	MWRA Staff	Jeff Mahoney	UCANE
Matt Horan	MWRA Staff	Andreae Downs	WAC
Joseph Favaloro	MWRA AB Staff	Lexi Dewey	WSCAC
Matthew Romero	MWRA AB Staff	Paul Lauenstein	WSCA
James Guid	MWRA AB Staff		

46 people were in attendance, including 25 voting members.

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CANTON, MA 02021 11:30 AM**

Draft Minutes

The Chairman called the meeting to order at 11:35 AM.

A. APPROVAL OF ADVISORY BOARD MEETING MINUTES FOR NOVEMBER 17, 2016

A motion to approve the minutes of the November 17, 2016 meeting of the Advisory Board was moved and seconded. The motion carried.

**B. PRESENTATION: WATERSHED PROGRAM UPDATE
JONATHAN YEO, DIRECTOR, DIVISION OF WATER SUPPLY PROTECTION, DCR**

Mr. Favaloro introduced the topic by noting that each year at this time, the agenda includes a review of watershed protection issues, the job that Mr. Yeo and his staff do to ensure the avoidance of filtration. Mr. Yeo pointed out that this update has been done every year for the last ten or so years. He has served as Director for eleven years; previous to that he worked at MWRA in five or six different jobs for about eighteen years. Each year in [this presentation](#) he tries to focus on issues that had not been covered previously, but also includes an update of current initiatives, and update on some accomplishments and challenges. The Division includes about 150 staff, mostly at Quabbin and Wachusett with a few in Boston and includes scientists, engineers, planners, rangers, foresters, educators, and wildlife managers. The Division's budget comes through the Water Supply Protection Trust board. The Advisory Board Chairman serves on the Trust. The operating budget is about \$16 million, with revenue of about \$1 million per year. There is very close coordination with MWRA including fiscal coordination on a work plan and the budget. The Division and DCR are regulated together with MWRA by the DEP on a watershed control program to meet unfiltered system standards. We strive to meet the needs of source water quality criteria, coliform, and turbidity at both intakes. There is a focus on both short- and long-term goals.

Our statutory mission in the Massachusetts General Laws has three elements: supply sufficient pure water to the MWRA (short-term water quality purity); utilize and preserve the natural resources in order to protect, preserve and enhance the environment (the land and water stewardship of these areas); and assure the availability of water for future generations (the long-term protection of this great water supply system). He displayed a map showing the components of the watershed system of the 300 mgd safe yield.

The system is a protected forest area in central Massachusetts, a lot of which is owned by the state which other property is privately owned. There are some other land uses that must be monitored. There are protected streams and reservoirs, along with MWRA's aqueducts, treatment, and transmission to 51 cities and towns, serving nearly 2.5 million people. We see ourselves as a forest filtered water supply. There are substantial forests covering all three of our major watersheds. We try to keep a diverse forest and keep the tributaries protected and free-flowing (although this year the tributaries have become a little dry). There is a lot of significant forest coverage; nearly 80% of the watershed is forested plus wetlands. This is the ideal type of forest, with a diverse type of age and species of trees to make sure that we can survive different changes that might happen, whether they are short-term (like a hurricane) or long-term (due to pests or climate change).

One thing we continually try to do is purchase land strategically in the watersheds. This past fiscal year, in the year ending June 2016, there were twelve acquisitions funded through the MWRA, totaling 253 acres at a little over \$1 million. Some federal money was also available in the last couple of years through the U.S. Forest Service allowing the purchase of a fair amount of land (although those funds will be coming to an end this year). The division has also purchased a large number of watershed restrictions, where the landowner continues to own the land but the state owns development rights, which must be monitored on an annual or biennial basis. (PILOT payments do not have to be paid on those properties.) Combined, for the three watersheds, we are at 60% of total land protected, a milestone. Over 520 parcels have been purchased and \$136 million spent by the ratepayers to make all this happen. This has played a large role in our efforts for filtration avoidance. Our program is a national model for science-based targeting for purchases of land to meet watershed protection goals.

The second part of our statutory authority is to preserve natural resources including wildlife. The goal in wildlife management is to protect water quality and the infrastructure and to protect rare, common and unique habitats. This can include dealing with aquatic mammals (such as beavers), gulls (the number one threat to water quality), deer (that are controlled in order to allow forests to continue to thrive), and protected species such as common loons, vernal pool habitats (including salamanders and other organisms), geese, eagles, moose.

With regard to organizational matters, DCR and MWRA work together in the Water Supply Protection Trust. Also involved are advisory committees including the Water Supply Citizens Advisory Committee and the MWRA Advisory Board; there are watershed advisory committees as well. The watershed protection plan guides the Division's operations, approved by DEP. There are public access plans for each watershed and land management plans for each watershed. The big six water quality topics are: bacteria, turbidity, pathogens, chemicals (from spills or discharges), algae and plankton issues (for taste and odor); and long-term loading from nutrients. The big issue is filtration avoidance, since it relates to a wide range of activities in order to keep in compliance. The Division needs to show that we have substantial control over our property and that the threats to the water supply are managed.

Mr. Yeo provided updates for this year regarding the drought, deer hunt, forestry, public access issues, invasives, a pilot program on bird harassment, railroad spill threats, direct discharge elimination, drones, plus some remarks on the capital program.

With regard to public access issues, the Division is in the process of updating the Quabbin public access plan. Since it will be out for public comment soon, he encouraged involvement in the review of the document, which is not expected to have major changes to the current version. The Division is also in the process of creating a no-drone policy in the watersheds except by permit which is expected to be for only MWRA and DCR use and for official research projects. Public access includes all of our restrictions and ability to control activities on our property, through signs, public education, our rangers, and intergovernmental coordination. Last year, there were over 36,000 public interactions by the rangers. The Visitors' Center is open at Quabbin 360 days per year. There is the 180-day per year boat and shoreline fishing program at Quabbin plus shoreline fishing at Wachusett. There are a little over 1,000 rules violations per year. Now there is a written citation program, with over 100 written warnings and citations issued during the last fiscal year, some of which have included financial penalties. The team includes 16 watershed rangers plus two seasonal rangers. There is dawn to dusk coverage, 365 days per year. There is also an interpretive program at both watersheds.

The draft of the public access plan will be available soon (hopefully within the next month). There will be coordination with the MWRA and a public release through the watershed advisory committee for public comment followed by completion of the document.

Mr. Yeo introduced his boss, Priscilla Gargas, Deputy Commissioner for Conservation and Resource Stewardship. Responsibilities include forestry and water supply protection.

There has been some illegal trail building in the Wachusett watershed. One individual was doing extensive trail building, and the Division, working with the State Police and using surveillance cameras, was able to catch him in the act. He was arrested, brought to court, found guilty and has been banned from the watershed property for at least a year.

The Division has been using a variety of methods, including cameras, to find illegal activity, including illegal dumping. There have been some trespass situations in sensitive locations. DEP and MWRA work closely to make sure that filtration avoidance is maintained, including the submittal of a compliance and enforcement plan last summer.

The railroad is another area of concern particularly the movement of oil in tank cars traveling over the reservoir. There was a large railroad incident field exercise last year, involving boom deployment using peat moss as a substitute for an oil spill. We have used post-exercise actions and an after action field report, including identifying areas for improvement. Mr. Laskey added that the MWRA is in active discussions with the MBTA, MassDOT, and the governor's office regarding various options to create a higher level of maintenance and quality and security for that railroad line. The goal is to come up with a permanent solution to protect the watershed.

Another big improvement that is happening this year is the design of the elimination of direct discharges into the Wachusett reservoir. This has been a high priority of MWRA and DCR. We have done the design work, and MassDOT is

funding much of the construction of nearly \$8-9 million worth of work. One phase at the causeway has been done, eliminating some of the drainage and direct discharges. Also constructed are interpretive kiosks to improve public understanding of the project. Also, the MWRA has built a small shed to serve as a water quality monitoring station with access to the water underneath the causeway.

With regard to creating a capital program for watershed management, there have been identified a number of smaller projects that could be funded through the Trust operating budget, from 2007 through 2015 (including road work and the construction of a carpenter shop). The Trust board approved in May a first capital projects program as part of the FY 2017 budget. Included were six Phase One projects plus two boat purchases. Phase Two will include the larger rehabilitation of the Quabbin administration complex building (which is now part of the MWRA's proposed FY 2018 capital improvement program (CIP). There are six projects: three at the Wachusett and three in the Quabbin watershed. Projects include the upgrade of both maintenance garages and replacing a now closed crew headquarters building. Also planned is the purchase of two new boats for the bird harassment and the water quality monitoring program. The big project is the Quabbin administration complex rehab; the building was constructed in 1939 with no major renovations having been done since. The complex includes the MWRA laboratory and offices for the State Police. The renovations will likely involve temporary staff and equipment relocation. It is hoped that the project can start in the next fiscal year, at least in terms of preliminary study and design.

Continuing challenges going forward include more development, stormwater runoff, hazardous materials spills, rail and truck discharges, wildlife issues, catastrophic events, invasives, continuing to keep infrastructure updated, security issues, and maintaining the filtration waiver.

Mr. Favaloro noted that there seem to be more illegal activities, namely trail-cutting, by off-trail mountain bikers who believe that it is their right to go wherever they want. The Advisory Board and the MWRA have been very active as has the state. Yet, the bikers seem to be empowered from the top down. At the next meeting of the Board of Directors is expected to be an agenda item to air out the issue of reconciling watershed land with recreational uses. The concern is that we have lived in harmony, with much having been accomplished over the past decades. Why would we ever take a step backwards? If they want to have a battle, then let's have the battle. It is ridiculous that we are involved in a back and forth debate between the protection of water for 2.5 million people in the Greater Boston and a handful of people who believe they are above the law. Yet that handful of people who are above the law seem to have the ear of certain individuals in the Administration.

Since the time we first had discussions about this, it has gotten worse. The line is in the sand. There is \$18+ million in the operating budget. At \$8 million per year, we are the only entity in Massachusetts that fully pays Payments in Lieu of Taxes to all of these communities. \$135 million in land acquisition should raise an important consideration: when the Board deliberates regarding land acquisition, they don't say, well, is this for recreational uses or are they purchases for watershed protection? Clearly, they purchase it for watershed protection. Just last year, to help the Commonwealth of Massachusetts, we prepaid all of the existing debt on the land acquisitions to help them out of their budget crisis. It wasn't for recreational land; it was for watershed land. You are looking at redoing dilapidated buildings at the Quabbin; on face value, that needs to be done. But why would we pay a dime if we can't have a meeting of the minds and say watershed protection is far more critical than off-trail bikers who are breaking the law? If that is the message that keeps coming down, from the head of the agency – the head of the fish – then, basically we will cut the rest of the fish off.

The Advisory Board played an informational [Just the FAQs video](#) about the history and importance of watershed protection to the MWRA's waterworks system.

Mr. Favaloro noted that a notice of the availability of the video will be sent to the Advisory Board mailing list, local newspapers, and officials in Central and Western Massachusetts. He emphasized that any battle over water quality and watershed protection is of great concern to the Advisory Board, the staff of the Advisory Board, and the MWRA and

most of DCR. He expects to seek community support and opposition to the use of the watershed lands for off-trail mountain biking.

COMMITTEE REPORTS

Executive Committee

- Legislative Strategy Update

Mr. Favaloro reported that the House and Senate are reviewing doing overrides on a part of the budget involving debt service assistance. It is not clear at this point what actions they will take. The Governor will come out with his budget next week; it is not clear if debt service will be in it although it could be closer to the number that he vetoed (approximately \$700,000). Also, the full formal sessions of the Legislature will move into high gear in the next couple of weeks. High on our list will be continued discussion of state primacy, debt service assistance, and bills of that nature.

- Action Item: Metropolitan Tunnel Redundancy Recommendations

By all accounts, the meeting at Boston College in December was well attended, the presentations were concise, and there were strong emotions on both sides. The Advisory Board staff drafted five recommendations for the redundancy program. These were posted and attendees were encouraged to take the recommendations back to the communities and then bring the list back in January for a vote which then could be sent to the MWRA and its Board of Directors and incorporate into its program. He reviewed each recommendation (see the enclosure in the [meeting packet](#)). He highlighted the recommendation for a Program Management Division (PMD) approach to management of the multi-year redundancy program. He noted the plan for a deep rock tunnel approach as compared to a focus on surface work, while acknowledging there will by necessity be a number of projects and contracts as part of the overall redundancy program that will involve surface work, in response to concerns raised by UCANE representatives. (Mr. Carroll noted the letter from UCANE and plans for further discussion with Mr. Laskey on the points raised.) Mr. Favaloro highlighted the recommendations to pursue tunnels in the north and south sections and to do so concurrently which is expected to lower project estimates. The fifth recommendation addressed to use of one-time water revenues to help fund the program.

A motion to approve the five recommendations was made and seconded; the motion carried unopposed.

- Unregulated Contaminants Monitoring Rule

Mr. Estes-Smargiassi reported that every five years the EPA is required to update the rule which is required by the Safe Drinking Water Act. Currently, the EPA is operating under the fourth rule. He recommended that the same approach be used that has been used previously. The MWRA will take the lead and will procure a laboratory to do the analysis for the fully supplied communities. The Authority will collect the samples, get them processed and will report the results to the EPA. The partially supplied communities will have access to the lab contract at cost and the Authority will provide technical assistance as needed in terms of designing the sampling programs. The EPA has issued the rule and notices will go out. Information will be posted to the Advisory Board website.

- Final Clinton NPDES Permit

Mr. Favaloro reported that the Clinton NPDES permit has been issued in final form. The permit was first issued in draft form in 2010 (the previous permit expired in 2005) and included language with regard to co-permittees. He emphasized the concerns of the Advisory Board as it relates to co-permittees, but EPA has built its case over a series of years. At this time the Advisory Board is not advocating an appeal. This permit will, however, set the stage for how the Deer Island permit will be worded. The Advisory Board is still concerned about the undefined responsibilities for the communities.

Whereas the communities do not need to sign the permit, the MWRA does. This will continue to be a concern for the Advisory Board for the Deer Island permit when that one is issued.

Finance Committee

- Proposed FY18 CIP Update: Advisory Board staff noted that the FY 2018 CIP has been received, and work on review has begun. The analysis and preparation of the charts for the review is well underway. More details will be provided at future meetings.
- Q2 Financial Update: this material will be provided in the next video of the [Green Sheet](#) next week.

Operations Committee

- Action Item: Expansion of Eligible I/I Projects

Mr. Sanchez reported that the Operations Committee met on November 17 to review eight items for consideration. The committee did not take an official vote at that meeting; rather a sense of the group was developed and brought to the next meeting of the Executive Committee (in January) which recommended five of the items on the list. Referring to the updated sheet in the meeting packet, each of the now five projects recommended for eligibility for I/I funding was discussed and the exclusion of three other projects was explained. A motion was made and seconded to approve the five additions. The motion passed unanimously. The entire list be found [here](#).

C. ADJOURNMENT

A MOTION WAS MADE TO ADJOURN THE MEETING AT approximately 1:15 pm. It was seconded and passed by unanimous vote.

Respectfully submitted,

Michael Rademacher, Secretary