

**Minutes
Executive Committee Meeting
Massachusetts Clean Water Trust**

DATE: July 20, 2016

START TIME: 1:35 p.m.

PLACE: State House Room 372

NOTICE: Due public notice given

MEMBERS OF THE EXECUTIVE COMMITTEE –

PRESENT: Sue Perez, Executive Director of the Trust
Rachel Madden, Director of Finance & Administration of the Trust
Steve McCurdy, Director of Program Development of the Trust

ALSO PRESENT: Bernard Greene, Senior Legal Counsel of the Trust
Nate Keenan, Deputy Director of the Trust
Jane Peirce, Department of Environmental Protection

MINUTES APPROVED:

May 18, 2016

June 8, 2016

**SUMMARY OF DISCUSSIONS (INCLUDING DECISIONS MADE/ACTIONS
TAKEN/ VOTES):**

1. Federal Allotment of Clean Water Funds. Mr. Keenan reported that EPA's clean water grant allotment report to Congress under the Water Resources Reform and Development Act included three unfavorable options for Massachusetts. These options were presented to the Trust's Board and the Board recommended that the State's congressional delegation be informed of the impact on Massachusetts. Treasurer Goldberg reported that she has spoken to Senator Markey's staff who promised to watch for this on the Senate side. Senator Markey is on the subcommittee on Fisheries, Water, and Wildlife of the Senate Committee on Environment and Public Works.
2. Contract Assistance. Ms. Perez reported that the Commonwealth's Fiscal Year 2017 budget may include a slight reduction in contract assistance, which will not impact the Trust's payment of debt service but will impact its ability to provide additional subsidy.
3. Financing Agreement. Mr. McCurdy reported on a change to the financing agreements triggered by §5002 (Capitalization Grant Agreements) of the Water Resources Reform and Development Act. New sub-section 13 to §1382(b) of the CWA requires certification by borrowers, in a manner determined by the Governor, that they have studied and evaluated the cost and effectiveness of proposed projects and that the projects maximize the potential for efficient water use, reuse, recapture,

and conservation. He noted that to implement this requirement DEP will be requiring borrowers to self-certify that they have considered the cost and effectiveness of the design of their projects.

4. National Information Management System. Mr. McCurdy reported that EPA has contacted states concerning their drinking water NIMS reporting. He will be working at DEP to determine what additional information EPA wants for the NIMS report.
5. Public School Water Lead Monitoring Initiative. Mr. McCurdy reported that the initiative to test for lead in public school drinking water has resulted in 990 schools requesting assistance. DEP is working with the University of Massachusetts to develop testing procedures in accordance with EPA guidelines and to provide training. Testing will begin at the end of August when schools are back in session. Approximately 600 schools are doing water quality testing on their own.
6. Sheffield Water Company. Mr. Greene reported on the current status of the acquisition of the assets of Sheffield Water Company by Mountain Water Systems, Inc. Sheffield, which is a private water company, has a direct loan with the Trust. Their plan is to transfer the Trust's loan to Mountain Water Systems and have Mountain's parent company co-sign on the loan. The Trust is expecting to have Board approval of the assumption of the loan on the agenda of the Board's September meeting.
7. Lynn Water and Sewer Commission. Mr. McCurdy reported on the Lynn Water and Sewer Commission project financed by the Trust that used materials not in compliance with the American iron and steel requirements of the federal Consolidated Appropriations Act of 2014. The Commission has received a notice of non-compliance from EPA and their loan will be reduced by \$31,000, representing ineligible costs.
8. Alternative Sewage Treatment Systems. Mr. McCurdy initiated a discussion of proposals from communities on the Cape to use alternative systems for wastewater treatment, including the use of oyster beds to filter the water. The Committee discussed whether such projects are eligible under Chapter 44 for bond financing and whether there is a way to determine the useful life of such alternative systems.
9. Hyannis Water Well Pollution. Mr. McCurdy reported that the Town of Barnstable may seek funding from the Trust for the remediation of pollution of water wells in the Village of Hyannis (a part of the Town) by the Barnstable County fire training academy. There is no formal request for funding but the Town has sued the County for this pollution. The Town, however, is the party responsible for cleaning up the sites because they are on town land in Hyannis.
10. Disadvantaged Business Enterprise Fair Share Goals. Mr. McCurdy reported that

DEP will be updating its fair share goals, which are due to EPA by the end of the federal fiscal year. DEP is considering hiring researchers at the Donahue Institute of the University of Massachusetts, Boston to assist them. The institute and DEP will enter into an Interdepartmental Service Agreement for this work.

The meeting adjourned at 2:20 p.m.

Approved: October 12, 2016