



THE COMMONWEALTH OF MASSACHUSETTS
 WATER RESOURCES COMMISSION
 100 CAMBRIDGE STREET, BOSTON MA 02114

Meeting Minutes for July 14, 2011

100 Cambridge Street, Boston, MA, 1:00 p.m.

Minutes approved September 8, 2011

Members in Attendance:

Kathleen Baskin Designee, Executive Office of Energy and Environmental Affairs
 Marilyn Contreas Designee, Department of Housing and Community Development
 Jonathan Yeo Designee, Department of Conservation and Recreation
 David Terry Designee, Department of Environmental Protection
 Tim Purinton Designee, Department of Fish and Game
 Thomas Cambareri Public Member

Members Absent

Gerard Kennedy Designee, Department of Agricultural Resources
 Joseph E. Pelczarski Designee, Massachusetts Office of Coastal Zone Management
 John Lebeaux Public Member
 Bob Zimmerman Public Member

Others in Attendance:

Michele Drury DCR
 Bruce Hansen DCR
 Richard Zingarelli DCR
 Sara Cohen DCR
 Susan Sullivan New England Interstate Water Pollution Control Council
 Ron Poltak New England Interstate Water Pollution Control Council
 Aaron Weieneth AECOM
 Linda Hutchins DCR
 Erin Graham DCR

Agenda Item #1: Executive Director’s Report

Hansen provided an update on the hydrologic conditions for June 2011. June precipitation was above normal; the month was the eighteenth wettest June in the last 117 years in Massachusetts. July precipitation has been below normal to date, with the highest amounts in the southeast and Cape Cod. June ground water levels were normal and above normal. Surface water was normal and above normal in the western half of the state. Reservoir levels are a little above normal for this time of year. There is no drought forecast for next three months.

Agenda Item #2: Vote on the Minutes of June 2011

Baskin invited motions to approve the meeting minutes for June 9, 2011.

V O T E	A motion was made by Cambareri with a second by Contreas to approve the meeting minutes for June 9, 2011. The vote to approve was unanimous of those present, with one abstention (Cambareri).
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Agenda Item #3: Presentation: New England Interstate Water Pollution Control Commission: Water Quality Priorities in the Northeast: NEIWPC's Role and Responsibilities

Baskin introduced Ron Poltak, the Executive Director of NEIWPC, and Susan Sullivan, Deputy Director.

Poltak described the history, organization, and mission of NEIWPC. The organization is one of six interstate commissions mandated by Congress in 1947 and represents the six New England states and New York. Its mission focuses on regional coordination, public education, research, and training in water management and protection.

Sullivan reviewed NEIWPC's three main focuses: water quality improvement, water resource protection, and wastewater treatment. Water quality work groups consisting of state and federal representatives review legislation, EPA policies, Clean Water Act policies, and national guidance and regulations, providing a united voice on issues of concern to the New England region. NEIWPC also forms partnerships with other water quality organizations. Sullivan reviewed activities related to water resource protection, including groundwater, drinking water, climate change, underground storage tanks, and pharmaceuticals and personal care products in wastewater. Sullivan also described the activities of the organization's wastewater and onsite treatment division, including wastewater operator training and certification, development of the TR16 design manual for wastewater treatment facilities, and providing certification training for personnel responsible for onsite/decentralized treatment facilities.

Sullivan reviewed NEIWPC's research programs – including climate change adaptation for water and wastewater utilities, stormwater best management practices, nutrient treatment technologies, and atmospheric deposition of mercury – and current programs in Massachusetts. She directed listeners to the organization's website, www.neiwpc.org, for information on upcoming conferences.

Terry commented on the tremendous benefits to MassDEP in working with NEIWPC and the coordination NEIWPC provides with EPA and the other states. Purinton asked if there was an opportunity for regional coordination and funding for remediation of contaminated sediments, a result of atmospheric deposition or legacy contamination that is difficult to trace to responsible parties; he added that the presence of contaminated sediments can be a barrier to dam removal and ecological restoration of rivers. Purinton explained that there is no regulatory hook or funding for removal of these sediments and suggested a Brownfields program for sediments. Sullivan responded that this would be an appropriate topic for interstate work groups to discuss. Terry suggested providing a briefing for congressional staff. Poltak described the challenges facing environmental agencies at both the state and federal levels related to reduced budgets and staffing levels.

Baskin requested a copy of NEIWPC's climate change adaptation report. In response to a question about atmospheric deposition from Baskin, Sullivan noted that NEIWPC developed a Total Maximum Daily Load for mercury for all seven member states, and that this was approved by EPA. She also described current efforts to review the TMDL. Discussion continued on pharmaceuticals and personal care products and their impact on wastewater reuse.

Cambareri described the benefits to the Cape Cod Commission in participating in NEIWPC's programs. He discussed the cost associated with meeting TMDLs for nutrients in wastewater on

Cape Cod. Discussion continued on the challenges of improving water quality without regulatory hooks for nonpoint sources of pollution.

Baskin invited Poltak and Sullivan to return to discuss NEIWPC's individual initiatives in more detail.

Agenda Item #4: Presentation: Flood Hazard Mitigation Grants: Application Process and New Grant Round

Baskin introduced Richard Zingarelli, manager of the state hazard mitigation program at the Department of Conservation and Recreation.

Zingarelli provided an overview of the hazard mitigation grant programs administered jointly by the Massachusetts Department of Conservation and Recreation and the Massachusetts Emergency Management Agency (MEMA). He explained that hazard mitigation encompasses actions taken to reduce or eliminate long-term risk to people and property from natural hazards and their effects, with flooding being the primary hazard. The purpose of the grants program is to break the cycle of repeated damage and reconstruction in areas prone to natural hazards by reducing vulnerability to natural hazards.

Zingarelli described four grants programs funded by the Federal Emergency Management Agency (FEMA), with three being annual programs and one, the Hazard Mitigation Grant Program, providing post-disaster funding. He reviewed eligibility and cost-share requirements for all four programs; all programs require applicants to have an approved multi-hazard mitigation plan. He reviewed the types of projects eligible for hazard mitigation grants. All projects must result in protection of property from natural hazards. He also reviewed the types of ineligible projects, noting that projects must represent an improvement or enhancement of a situation; they do not fund rehabilitation of existing structures or major flood control projects.

He described planning requirements for the grants programs, including a statewide Hazard Mitigation Plan and local plans typically prepared by regional planning agencies in Massachusetts; funds are available for planning and updating of plans.

He described each of the grant programs in detail, starting with the Hazard Mitigation Grant Program, the largest program. Funding is available following a Presidential disaster declaration based on a percentage of disaster assistance for that event. He reviewed the grant application and review process for this program, starting with notification of potential applicants of grant availability. A state interagency committee reviews the applications, ranks them, and forwards recommendations to FEMA for review. FEMA makes the final award decisions. MEMA handles the contracting and financing with the grantees. The current application is from the January 2011 winter storm and may also include funding from the June 1 tornadoes. The last grant cycle was from March 2010 floods, and \$13 million is now being awarded from that event. The 2011 grant applications are due November 4, 2011.

Zingarelli described the three annual grant programs, which include the Pre-Disaster Mitigation, Flood Mitigation Assistance, and Severe Repetitive Loss programs. He reviewed the funding available for each, the application process, and types of eligible projects. All applicants must complete a cost-benefit analysis to demonstrate that a mitigation project will be cost-effective.

Yeo notes that Zingarelli's efforts on behalf of communities were recognized by the Boston Society of Civil Engineers, who honored him as the 2010 Public Engineer of the Year. Questions

and discussion revolved around mitigation for tornado damage and wildfire hazards and how the benefits of dam removal can be quantified so that such projects could qualify for grant funding.

Agenda Item #5: Preview of Upcoming Meeting Agendas

Drury provided an overview of key items in the commission's work plan that will be topics of discussion at the next few meetings. At the September meeting, staff will initiate a discussion of recommended updates to the Massachusetts Water Conservation Standards, and as a follow-up to the August meeting, updates to the demand management policies and programs outlined in the 1978 Water Supply Policy Statement. In addition, lessons learned from a water audit and staff work with the Department of Conservation and Recreation's Urban Parks Division will be discussed.

At the August meeting, staff will begin discussion of a long-overdue update of the Massachusetts Water Supply Policy Statement of 1978. Drury noted that the commission's enabling act mandates that the Water Supply Policy Statement be updated every five years. The last update was completed in 1996. Drury added that many milestones resulted from the Water Supply Policy Statement, including the reorganization of the Water Resources Commission, the Interbasin Transfer Act, the Water Management Act, the formation of the Massachusetts Water Resources Authority, and the Water Conservation Standards. Drury noted that the 1978 Policy Statement was a product of its time, being published a few years after the enactment of the Clean Water Act, and that many practices now taken for granted, such as leak detection, were not widely in place at the time.

Drury said the 1978 Policy Statement presents recommendations in three broad categories – policies, programs, and short-term actions. Within each of these categories are subtopics relating to Demand Management, Supply Management, and Administrative Management.

At the August meeting, staff will initiate a discussion of recommendations in the 1978 statement on Demand Management Policies and Demand Management Programs, with a focus on what has been accomplished since 1978. At that meeting, Commission members will be asked to review the 1978 recommendations and to report, at the September meeting, on progress their agencies and organizations have made on the 1978 recommendations. Commission members will also be asked for input on issues and policy priorities that reflect the needs of the Twenty-first Century. These ideas will help to inform the commission's 2012 work plan. This review process will continue through the end of the year on the Supply Management and Administrative Management categories of the 1978 recommendations.

Over the next few months, the commission will discuss short-term and long-term actions and consider whether to update the 1978 document or move forward with a new water policy statement.

Terry commented that he was struck, upon review of the 1978 policy statement, by how many of the recommendations had been implemented, and that the Water Management Act had incorporated many of these recommendations. He added that much of the focus was on water supplies. He noted that representatives of water works managers would likely recommend that the commission look at other opportunities to better manage our water resources. Drury responded that the Sustainable Water Management Initiative (SWMI) process is addressing many of these issues. Baskin noted that the 1978 document is titled "Water Supply Policy Statement," and is referenced as such in legislation, but that the commission could look at "water supply" in a broader context, including the resources that feed the water supply. Terry added that

issues such as climate change and costs for water infrastructure should be incorporated. Drury commented that future policy statements should incorporate recent scientific studies, such as the “Fish and Flow” studies, into a cohesive whole.

Drury listed other agenda items for upcoming meetings, including a presentation by Senator James Eldridge on the work of the Water Infrastructure Finance Commission; an update on the Open Meeting Law; an update on efforts to develop a shared, secretariat-wide water resources database to manage information on water supply and use in the commonwealth; and an update on the SWMI process. She invited commission members to report on activities of their agencies and organizations at future commission meetings.

Meeting adjourned, 3:11 p.m.

Documents or Exhibits Used at Meeting:

- Meeting Minutes for June 11, 2011
- Interbasin Transfer Act project status report, 28 June 2011
- Current Water Conditions in Massachusetts, July 14, 2011
- NEIWPCCC presentation: Water Quality Priorities in the Northeast: NEIWPCCC's Role and Responsibilities
- NEIWPCCC informational packet (brochures, newsletters, and annual report)
- Hazard Mitigation Program [presentation](#): Hazard Mitigation Programs Administered by DCR and MEMA
- Hazard Mitigation Program materials, including grant announcement letter, schedule of technical assistance meetings, and description of a two-day Benefit-Cost Analysis training course