

**MEETING OF THE MASSACHUSETTS
CLEAN WATER TRUST
BOARD OF TRUSTEES**

November 1, 2023
1:30 PM

Location: Remote*

Minutes

Attendees: State Treasurer Deborah Goldberg, Chair
Maria Pinaud, Director of Municipal Services, MassDEP
Timur Yontar, Capital Budget Director, Executive Office for
Administration & Finance

Also Present: James MacDonald, First Deputy Treasurer, Office of the State Treasurer
Susan Perez, Executive Director, MCWT
My Tran, Treasurer, MCWT
Sally Peacock, Controller, MCWT
Nicole Munchbach, Accountant, MCWT
Pam Booker, Accountant, MCWT
Sunkarie Konteh, Accountant, MCWT
Julian Honey, Program Associate, MCWT
Kailyn Fellmeth, Program Associate, MCWT
Josh Derouen, Senior Program Associate, MCWT
Jonathan Maple, Senior Policy Analyst, MCWT
Kathryn Armour, Data Analyst, MCWT
Robin McNamara, Deputy Director of Municipal Services, MassDEP
Greg Devine, Section Chief, MassDEP
Mary Wilkins, Communications Executive Assistant, Office of the State
Treasurer
Makayla Fucile, Special Assistant, Office of the State Treasurer
Jennifer Pederson, Executive Director, MWWA
Emily Kowtoniuk, Legislative Director, Office of the State Treasurer

CALL TO ORDER: The meeting was called to order by Treasurer Goldberg at 1:35 p.m.

Item #1

MOTION- VOTE

Acceptance and approval of October 11, 2023 minutes

The motion was made by Mr. Yontar and second by Ms. Pinaud and voted unanimously in favor of acceptance and approval of the minutes of the meeting of the Board held on October 11, 2023.

Item #2

REPORT OF THE EXECUTIVE COMMITTEE

Series 25 Bond Deal

Ms. Perez stated that the Series 25 bond sale is taking place next week. The Trust is issuing \$405 million in new money and refunding bonds.

2024 Intended Use Plans (IUP) Capacity

Ms. Perez noted that there is high demand for SRF financing and a significant response to the 2024 IUP solicitation. The Trust and MassDEP are in the process of evaluating capacity.

Lead Service Line (LSL) Planning Grants

Ms. Perez said that there are 116 LSL planning grants, including the grants up for vote today, that have been issued totaling approximately \$27 million. There are 82 grants totaling approximately \$19 million that have been issued to Disadvantaged Communities.

LSL Grant Allotment

Ms. Perez noted that the 2023 Bipartisan Infrastructure Law (BIL) LSL Replacement Grant was reduced by approximately 50% due to the results of the Drinking Water Infrastructure Needs Survey and Assessment (DWINSA) conducted by MassDEP. The EPA is allowing a one-time resubmission of survey results.

Ms. Pinaud stated that the EPA provided guidance for resubmissions of the DWINSA LSL survey. MassDEP is working with the 56 public water suppliers that participated in the original survey. DEP intends to collect the revised data, review it, and submit it to the EPA. The deadline for resubmissions is November 30, 2023. Based on the DWINSA results, the EPA will make any adjustments to LSL grant allotments by February 24, 2024.

Item #3

MOTION- VOTE

The motion was made by Mr. Yontar and seconded by Ms. Pinaud.

Ms. Perez stated that approving this motion will expand the Disadvantaged Communities designation to include Environmentally Disadvantaged Communities, as allowed by the BIL Emerging Contaminants and Lead Service Line Removal grants. All communities at risk of negative health effects from the presence of lead or PFAS in drinking water will be considered Environmentally Disadvantaged Communities, as determined by MassDEP and noted in the IUPs.

The motion was voted unanimously in favor of acceptance and approval of the following:

Expand the Definition of Disadvantaged Community for Certain Purposes

1. That the Trust approve the definition of “Disadvantaged Community” for the Drinking Water State Revolving Fund for purposes of the Bipartisan Infrastructure Law (“BIL”) to include public water systems or municipalities that either (i) qualify under new criteria described below based on environmental factors (such community, an “Environmentally Disadvantaged Community”) or (ii) qualify under the Trust’s existing three-tiered affordability criteria.
2. That the criteria for designation as an Environmentally Disadvantaged Community shall be that the people living in or served by the public water system or municipality are at risk for negative health effects due to the presence in the community of PFAS contamination and/or lead in the community’s water supply or service lines, all as determined by the Department of Environmental Protection (“DEP”).
3. That designation as an Environmentally Disadvantaged Community for a particular year will confer eligibility for additional subsidy provided with funds made available by the Bipartisan Infrastructure Law only for the projects of such community on that year’s Intended Use Plans (“IUPs”) that DEP has identified as mitigating the environmental factors responsible for such designation; such designation will not confer eligibility for additional subsidy on any other projects by such Environmentally Disadvantaged Community.
4. That such definition and all designations of Environmentally Disadvantaged Communities shall be retroactive to the effective date of the Bipartisan Infrastructure Law.
5. That the Trust authorizes and directs the Executive Director, and such other officers of the Trust as the Executive Director may delegate, to perform all such additional acts, not inconsistent with this vote, as may be necessary or desirable in effecting the purposes of this vote, including without limitation any actions by the Trust required to amend existing IUPs to incorporate designations of Environmentally Disadvantaged Communities.

Item #4

MOTION- VOTE

The motion was made by Ms. Pinaud and seconded by Mr. Yontar and voted unanimously in favor of acceptance and approval of the following:

Approval of Asset Management Program Grant Commitments and Grant Agreements

<u>PAC No.</u>	<u>Recipient</u>	<u>Amount</u>
DWA-23-11	Chester	\$68,100
CWA-23-28	Harwich	\$75,000
CWA-23-13	Haverhill	\$150,000
CWA-23-49	Lowell	\$150,000
DWA-23-11	Russell	\$90,600

Item #5

MOTION- VOTE

The motion was made by Mr. Yontar and seconded by Ms. Pinaud and voted unanimously in favor of acceptance and approval of the following:

Approval of Lead Service Line Planning Program Grant Commitments and Grant Agreements

<u>PRA No.</u>	<u>Recipient</u>	<u>Amount</u>
DWL-23-111	Aquarion Water Company – Oxford	\$167,000
DWL-23-113	Aquarion Water Company – Springdale Farms	\$107,200
DWL-23-112	Holden	\$154,300
DWL-23-34	Wilbraham	\$193,000 ¹

Item #6

MOTION- VOTE

The motion was made by Ms. Pinaud and seconded by Mr. Yontar and voted unanimously in favor of acceptance and approval of the following:

Approval of Clean Water Commitments

<u>PAC No.</u>	<u>Borrower</u>	<u>Amount</u>	<u>Interest Rate</u>
CW-22-59	Falmouth	\$31,265,218 ²	2%
CW-23-09	Lawrence	\$410,000	1.5% ³

Item #7

MOTION- VOTE

The motion was made by Mr. Yontar and seconded by Ms. Pinaud and voted unanimously in favor of acceptance and approval of the following:

Approval of the Clean Water Loans and Financing Agreements

<u>PRA No.</u>	<u>Borrower</u>	<u>Amount</u>	<u>Interest Rate</u>
CWP-22-59	Falmouth	\$27,202,218	2%
CWP-22-59-A	Falmouth	\$4,063,000	2%
CW-23-09	Lawrence	\$410,000	1.5% ³
CW-22-46	Nahant	\$1,191,582	2%

Item #8

MOTION- VOTE

The motion was made by Ms. Pinaud and seconded by Mr. Yontar and voted unanimously in favor of acceptance and approval of the following:

Approval of the Drinking Water Loans and Financing Agreements

<u>PRA No.</u>	<u>Borrower</u>	<u>Amount</u>	<u>Interest Rate</u>
DWP-22-41	Barnstable Fire District	\$6,983,405	0% ⁴
DW-22-37	MWRA	\$6,000,000	2%

OTHER BUSINESS: None.

ADJOURN: The motion was made by Ms. Pinaud and seconded by Mr. Yontar and voted unanimously in favor of adjourning the meeting at 1:45 p.m.

¹ First revision. Previous grant amount was \$160,000

² First revision. Previous PAC amount \$24,000,000.

³ Housing Choice Loan

⁴ PFAS Remediation Loan

LIST OF DOCUMENTS AND EXHIBITS USED:

1. Minutes, October 11, 2023
2. Project Descriptions

***Location: Remote:** Notice is hereby given that the Wednesday, November 1, 2023 meeting of the Massachusetts Clean Water Trust's Board of Trustees will be held through remote participation in accordance with M.G.L.c.30A, §20, as modified by c.20 of the Acts of 2021, c.22 of the Acts of 2022, and c.2 of the Acts of 2023.

Those who would like to attend the meeting, please e-mail masswatertrust@tre.state.ma.us to request meeting information. Information to access the meeting will be available through the duration of the meeting. However, we encourage participants to request the information by 5:00 PM the day before the meeting.

To ensure that the audio is clear to all attendees, unless you are actively participating in the meeting, please mute your audio. If you have technical difficulties joining the meeting, please email masswatertrust@tre.state.ma.us.

Please Note: There will be no physical meeting at the offices of the Massachusetts Clean Water Trust.