

**EXECUTIVE COMMITTEE OF THE  
MASSACHUSETTS CLEAN WATER TRUST**

**NOTICE AND AGENDA**

<b>Meeting Date:</b>	Wednesday, December 11, 2024
<b>Time:</b>	11:00 AM
<b>Location:</b>	<b>Remote*</b>
<b>Listing of Topics:</b>	Call to Order
	<ol style="list-style-type: none"><li>1. Review and approval of minutes from the 10/9/2024 and 10/23/2024 meetings of the Executive Committee</li><li>2. <b>CWSRF Small System Technical Assistance Program Discussion:</b> MassDEP will present a request to discontinue the program.</li><li>3. <b>LSL Planning Grant Program Update:</b> MassDEP will provide an update on the validation of data for unknown LSLs.</li><li>4. <b>2025 Intended Use Plans (IUPs) Update:</b> The Trust will provide an update on capacity.</li><li>5. <b>AMP Grant Extension Requests:</b> The Trust will present AMP Grant extension requests.</li></ol>
	Other Business <i>(Items not reasonably anticipated by the Chair 48 hours in advance of the meeting)</i>

**\*Location: Remote:** Notice is hereby given that the Wednesday, December 11, 2024 meeting of the Massachusetts Clean Water Trust's Executive Committee 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](mailto: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](mailto:masswatertrust@tre.state.ma.us).

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



***Item #1: Draft Minutes of the Meetings  
Held on October 9, 2024 and October 23, 2024***

**EXECUTIVE COMMITTEE OF THE  
MASSACHUSETTS CLEAN WATER TRUST**

**Meeting Minutes**

**Meeting Date:** Wednesday, October 9, 2024  
**Time:** 1:30 PM  
**Location:** Remote  
**Notice:** Due public notice given  
**Attendees** Sue Perez, Executive Director, Trust  
Maria Pinaud, Director of Program Development, Trust  
Timur Yontar, Director of Finance & Administration, Trust  
My Tran, Treasurer, Trust  
Bridget Munster, Deputy Director of Program Development, Trust  
**Also Present** Nate Keenan, Department Director, Trust  
Nicole Munchbach, Assistant Controller, Trust  
Sunkarie Konteh, Accountant, Trust  
Pam Booker, Accountant, Trust  
Joshua Derouen, Program Manager, Trust  
Kailyn Fellmeth, Senior Program Associate, Trust  
Rachel Stanton, Investor Relations and Communications Graphic Designer, Trust  
Robin McNamara, Deputy Director of Municipal Services, MassDEP  
Greg Devine, Section Chief, MassDEP  
Yvette DePeiza, Drinking Water Program Director, MassDEP  
Gufran Bulbul, Environmental Analyst, MassDEP  
Michael Celona, Drinking Water Specialist, MassDEP  
Janine Bishop, Regional Planner, MassDEP  
Jennifer Pederson, Executive Director, Massachusetts Water Works Association

**SUMMARY OF DISCUSSIONS**

	<b><u>Open the Meeting:</u></b> Ms. Perez opened the meeting after confirming the attendees present.
<b>1.</b>	<b><u>Review and approval of minutes from the 8/14/2024 meeting of the Executive Committee:</u></b> The Committee approved meeting minutes from the 8/14/2024 meeting of the Executive Committee.

2.	<p><b><u>Cybersecurity Grant Program Update:</u></b> Mr. Bulbul stated that a total of 27 Cybersecurity Improvement Grant applications were received by the October 1, 2024 extended deadline. Of those, 19 projects have been approved by the Trust's Board of Trustees. To date, \$846,284 of the \$2 million in grant funds have been awarded. Five systems initially applied for grant amounts exceeding the \$50,000 limit. The amounts were then revised and approved accordingly.</p> <p>An additional extension to the grant application deadline until all available funds are expended was suggested to account for the following activities that will delay grantees in completing their applications by the current deadline; an upcoming cybersecurity training on November 1<sup>st</sup>; the pending Lead and Copper Rule Revisions compliance deadline that is taking up capacity of the drinking water utilities; and pending feedback on MassDEP's water and wastewater cybersecurity plan from the National Security Council. It is expected that an extension will greatly benefit the program by increasing participation and allowing grantees to effectively achieve the objectives of the program.</p> <p>Ms. DePeiza said that additional funds beyond the \$50,000 grant cap may be necessary for larger systems or those that are working on combined drinking water and wastewater grants. An update on the program will be provided at the conclusion of the calendar year. Grant requests over \$50,000 may be considered at that time.</p> <p>Mr. Celona noted that the need for Cybersecurity Improvement Grant funds and demand for improvement projects is ongoing. Additional funding to continue the grant program should be considered.</p> <p>The Executive Committee voted unanimously to accept applications for the Cybersecurity Improvements Grant Program on a rolling basis until the \$2 million in allocated funds have been expended.</p>
3.	<p><b><u>Asset Management Planning (AMP) Grant Extension Requests:</u></b> Ms. Fellmeth stated that AMP Grant extension requests were received for Bolton CWA-22-16, Agawam CWA-22-15, and Chelmsford Water District DWA-22-06, all of which are 2022 AMP Grants. The communities have all noted that they have faced various delays to their projects. It is recommended that the communities be granted an extension of 60 days beyond their requested extension deadlines.</p> <p>The Executive Committee voted unanimously to give an extension through January 30, 2025, December 30, 2024, and January 30, 2025, respectively, to allow the communities ample time to complete the scope of work and project closeout documentation.</p>
<b>Other Business</b> (Items not reasonably anticipated by the Chair 48 hours in advance of the meeting): None.	
<b><u>Adjourn the Meeting:</u></b> Ms. Perez requested a motion to adjourn the meeting. Ms. Pinaud moved the motion. A roll call was held, and all members approved the motion.	

Minutes Approved:

**EXECUTIVE COMMITTEE OF THE  
MASSACHUSETTS CLEAN WATER TRUST**

**Meeting Minutes**

**Meeting Date:** Wednesday, October 23, 2024  
**Time:** 1:30 PM  
**Location:** Remote  
**Notice:** Due public notice given  
**Attendees** Sue Perez, Executive Director, Trust  
Maria Pinaud, Director of Program Development, Trust  
Timur Yontar, Director of Finance & Administration, Trust  
My Tran, Treasurer, Trust  
**Also Present** Bridget Munster, Deputy Director of Program Development, Trust  
Nate Keenan, Department Director, Trust  
Sunkarie Konteh, Accountant, Trust  
Pam Booker, Accountant, Trust  
Joshua Derouen, Program Manager, Trust  
Kailyn Fellmeth, Senior Program Associate, Trust  
Aidan O’Keefe, Program Associate, Trust  
Ray Leconte, Program Associate, Trust  
Esther Omole, Program Associate, Trust  
Jonathan Maple, Senior Policy Analyst, Trust  
Kathleen Baskin, Assistant Commissioner, MassDEP  
Robin McNamara, Deputy Director of Municipal Services, MassDEP  
Michele Higgins, Program Manager, DEP  
Yvette DePeiza, Drinking Water Program Director, MassDEP  
Janine Bishop, Regional Planner, MassDEP  
Xochitl Perez, Capital Planner, MassDEP  
Jasmine Strangis, Environmental Analyst, MassDEP  
Jessica Sibirski, Environmental Analyst, MassDEP  
Tio Yano, Environmental Analyst, MassDEP

**SUMMARY OF DISCUSSIONS**

**Open the Meeting:** Ms. Perez opened the meeting after confirming the attendees present.

- 1.** **2025 Intended Use Plans (IUPs) Update:** Ms. Pinaud stated that MassDEP has completed the scoring of Project Evaluation Forms and the development of the Project Priority Lists for the 2025 IUPs.
- MassDEP has reviewed 2025 submissions to ensure no projects are double counted, as a number of 2023 and 2024 IUP projects faced permitting issues and other complications, resulting in some communities resubmitting applications on the 2025 IUPs as a safety. There are several carryover projects from previous IUPs.
- The loan application deadline for 2024 construction projects was October 11, 2024 and resulted in some projects dropping from the 2024 IUPs. MassDEP has shared the data with the Trust for capacity planning. Ms. Perez stated that the Trust will review the data and coordinate with MassDEP.

**Other Business** (Items not reasonably anticipated by the Chair 48 hours in advance of the meeting):

**Asset Management Planning (AMP) Grant Extension Request:** Mr. O’Keefe stated that Abington-Rockland Joint Water Works recently submitted an extension request for their AMP Grant, DWA-22-39. They noted in their letter that they experienced delays due to unresponsiveness from contractors.

The Executive Committee voted unanimously to give an extension through October 28, 2025, to allow Abington-Rockland Joint Water Works ample time to complete the scope of work and project closeout documentation.

**LSL Planning Grant Program Update:** Ms. DePeiza provided a status update following the Lead and Copper Rule Revisions deadline on October 16, 2024, which required all communities and non-transient, non-community systems to submit lead service line inventories by the deadline. In Massachusetts, 99.6% of water systems were compliant. Only 2 of 766 systems were referred to EPA due to ongoing compliance and enforcement issues. Further, all communities engaged in the technical assistance program that assists public water suppliers in developing service line inventory and lead service line replacement plans submitted results on time.

By November 15, 2024, notices must be sent to residents and facility owners to let them know of the presence of lead, galvanized service lines requiring replacement, and unknown materials. Notices should state that there is no safe level of lead in drinking water, a significant update in public health language from the previous guidance which stated that lead in drinking water is not safe for pregnant women or children.

MassDEP's team has worked to develop an online portal and map for results, which are available to the public. Their team was commended for their efforts and planning.

**Adjourn the Meeting:** Ms. Perez requested a motion to adjourn the meeting. Ms. Pinaud moved the motion. A roll call was held, and all members approved the motion.

Minutes Approved:

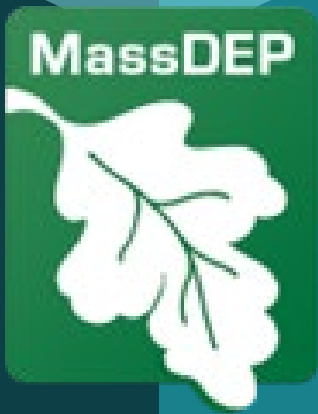


**Item #2: *(No Reference Documents)***



**Item #3: *LSL Planning Grant Program Update***





**MassDEP Drinking Water Program**  
**December 11, 2024**

# **LSL Program Updates – NON-LEAD Validations**

# Background on the LCRR and LCRI

- **By October 16, 2024**, under the Lead and Copper Rule Revisions (LCRR), 766 PWS in MA were required to develop and submit a complete inventory of all service lines in their distribution system for the first time. This inventory must categorize an entire service line as lead, galvanized requiring replacement (GRR), lead status unknown (UNK), or non-lead.
- **By November 1, 2027**, under the Lead and Copper Rule Improvements (LCRI), PWS must submit a baseline (updated) inventory, which builds off the requirements of the initial inventory, such as including connector information.
- Under the LCRI, PWS must also develop a validation pool of randomly chosen non-lead service lines to conduct material verification by visual inspection of the pipe exterior at a minimum of two points

# What is in each system's validation pool?

All non-lead service lines in the inventory excluding those that are identified by the following:

- Physical records that indicate the service line was installed after the MA Lead Ban (01/01/1986).
- Visual inspection of the pipe exterior at a minimum of two points.
- Previously replaced lead or GRR service lines.

*See table 1 for further information on validation pool requirements.*

Table 1. Minimum Number of Validations Required	
Size of Validation Pool	Number of Validations Required
<1,500	20% of validation pool
1,500 to 2,000	322
2,001 to 3,000	341
3,001 to 4,000	351
4,001 to 6,000	361
6,001 to 10,000	371
10,001 to 50,000	381
>50,000	384

# DWP Available Data -Estimate of Need

- Of the 766 PWS, 271 (35%) have been reviewed, approved and updated in our database.
  - 98 (36%) PWS will be required to create validation pools and verify their non-lead service lines.
- ***Note:** 47% of these PWS have LSL, GRR and/or UNK in their inventories in addition to NON-LEAD service lines and will need either service line replacement funds and/or verification of materials in addition to non-lead validations.*

# DWP Available Data -Estimate of Need

**Table 2- Estimate of NON-Lead Validation Requirements  
for DWP accepted SLI Submissions as of 12/9/24**

Total # of Systems (PWS) with NON-LEAD Service Lines: **270 Systems**

Total # of Systems (PWS) which meet the NON-LEAD Validation Requirements: **98 Systems**

Estimated # of Service Lines these 98 PWS will be Required to Validate: **8,749 Service Lines**

Estimated Cost Range for Public Service Line Verification/Inspection: **\$6,124,300 - \$21,872,500**

This is 1/3 of our SLIs, we still must review:

- 127 Systems with 1,500 to 10,000 Service Connections
- 32 Systems with over 10,000 Service Connections
  - If all had at least 1,500 non-lead service lines that met the validation requirements, this would add over 10,000 Service Lines to the total required validations.

Please note that this number is based on only 1/3 of our reviews, and many of our larger, older PWS submissions have not been accepted yet, so this number will increase as SLIs are accepted.

# Funding Background

- The SRF LSL Planning Grant can cover verification of non-lead service line materials as required by the LCRI, specifically, the verification on the private side of the service line within the basements of consumers, which require no excavation or construction.
- **1-point verification:** Specifically, the verification on the private side of the service line within the basements of consumers, which require no excavation or construction. – Currently funded under the DWSRF LSL Planning Grant
- **2-point verification:** On the public side of the service line. The physical inspection of service lines on the public side can be done by a procedure called “potholing”, which does not require extensive digging or restoration or repairs, and the average cost ranges from \$700 -2,500, depending on conditions. Also recommended to be funded under the DWSRF LSL Planning Grant

# What is Potholing?

Small holes are created on the surface so that the water line can be visually identified. The process is typically carried out with vacuum excavators, which sends pressurized water or air to create deep potholes in the terrain to help locate subsurface lines and obstructions in and around a bore path. **This is used as a non-destructive, less invasive, less costly, technique compared to other excavation methods.** As a result, workers can now see what they are working on from above, which has a profound benefit on identifying the material of service lines.

# Request For Public Service Line Verification Funding

Given these factors, MassDEP/DWP requests that public service line verification, when methods with minimal disruption, such as potholing, are used, **be covered under the LSL Planning Grants**, as this is a part of the validation process required under the LCRI, which will affect many PWS.



**Thank you**



***Item #4: 2025 Intended Use Plans (IUPs) Update***

# *Massachusetts Clean Water Trust's Executive Committee Meeting*

December 11, 2024

---



---

## Capacity Determination

- SRF program develops an Intended Use Plan (IUP) which ranks and lists the projects that are offered financing for the calendar year
- Each year as part of developing the IUPs, the Trust estimates the amount of financing to be offered for the calendar year – the capacity
- To determine the capacity, the Trust looks at the following data points
  - Outstanding Commitments
  - Carryover Projects Backlog
  - Drop Rate (projects offered financing that elect not to proceed)
  - Increased Costs (original IUP Cost amount offered vs. project cost from bids)
  - Funding Sources
    - Grants funds
    - Revolved loan repayments
    - Bond funds

---

## Carryover Projects

- Historically the assumption has been that the full project cost will be financed through the SRF, although there has been a cap amount of \$15 million per project per calendar year
- In the past few years, project costs have increased due to inflation and due to a massive increase in the number of PFAS projects
- PFAS projects are expensive and rank highly on the IUP scoring criteria due to public health concerns
- This has created a backlog of projects that are offered financing over multiple IUPs (carryover projects)
- Carryover projects have reduced the amount of financing available each subsequent year for new projects because the SRF is committing to financing the total project cost

# Outstanding Commitments

<i>Dollars in thousands</i>	Total	Cash Flow Projections					
		2025	2026	2027	2028	2029	2030
2021 IUP*	\$212	\$212	-	-	-	-	-
2022 IUP*	95,406	50,883	44,523	-	-	-	-
2023 IUP*	278,158	143,565	71,783	62,810	-	-	-
2024 IUP**	427,176	96,115	170,870	85,435	74,756	-	-
Subtotal before 2025 IUP and before Carryover Backlog	800,952	290,775	287,176	148,245	74,756	-	-
2024 Carryovers - PACs in 2025 IUP	190,961	-	42,966	76,385	38,192	33,418	-
2024 Carryovers - PACs in 2026 IUP	102,232	-	-	23,002	40,893	20,446	17,891
Subtotal Carryover Backlog	293,193	-	42,966	99,387	79,085	53,864	17,891
<b>Outstanding Commitments before 2025 IUP</b>	<b>\$1,094,145</b>	<b>\$290,775</b>	<b>\$330,142</b>	<b>\$247,632</b>	<b>\$153,841</b>	<b>\$53,864</b>	<b>\$17,891</b>
* Represents remaining funds to be disbursed on approved construction loans.							
** 2024 Project Approval Certificates issued by close of calendar year.							

Cash Flow Projection Assumptions	
Years 0-1	22.5%
Year 2	40.0%
Year 3	20.0%
Year 4	17.5%

## BIL Annual DWSRF Grants

<i>Dollars in thousands</i>	Base		Supplemental		Emerging Contaminat (PFAS		Lead Service Line	
Federal Fiscal Year	Appropriation	State Match	Appropriation	State Match	Appropriation	State Match	Appropriation	State Match
2022	\$16,260	\$ 3,252	\$ 41,750	\$ 4,175	\$ 17,531	\$ -	\$ 65,783	\$ -
2023	10,602	2,120	45,206	4,521	16,404	-	33,700	-
2024	10,078	2,016	49,350	9,870	16,404	-	50,095	-
2025*	10,078	2,016	58,337	11,667	16,404	-	50,095	-
2026*	10,078	2,016	58,337	11,667	16,404	-	50,095	-
Total DW Grants	\$57,096	\$11,419	\$252,980	\$41,900	\$83,147	\$0	\$249,768	\$0
* Estimated Base Grant amounts using 2024 amount.								





## Congressional Directed Spending (CDS) Impact on DW Base Grants

Dollars in thousands	2020		2021		2022		2023		2024	
DWSRF Base Grant - Federal	\$	25,549	\$	25,763	\$	16,260	\$	10,602	\$	10,078
DWSRF State Match		5,110		5,153		3,252		2,120		2,016
33% Transfer from CWSRF		8,431		8,580		5,366		3,499		3,326
DWSRF Set-Asides		(5,365)		(5,360)		(5,041)		(2,226)		(2,101)
DWSRF Project Funds Available		33,725		34,136		19,837		13,995		13,319
Required Subsidy to DC		(6,796)		(8,929)		(5,623)		(3,666)		(3,485)
DWSRF Funds Revolving	\$	26,929	\$	25,207	\$	14,214	\$	10,329	\$	9,834

\_\_\_\_\_

\* Approved capacity for years 2020-2024.

## Outstanding Commitments Including 2025 Proposed Capacity

<i>Dollars in thousands</i>	<b>Total</b>	<b>Cash Flow Projections</b>					
		<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>2029</b>	<b>2030</b>
2021 IUP*	\$212	\$212	-	-	-	-	-
2022 IUP*	95,406	50,883	44,523	-	-	-	-
2023 IUP*	278,158	143,565	71,783	62,810	-	-	-
2024 IUP**	427,176	96,115	170,870	85,435	74,756	-	-
Subtotal before 2025 IUP and before Carryover Backlog	800,952	290,775	287,176	148,245	74,756	-	-
2024 Carryovers - PACs in 2025 IUP	190,961	-	42,966	76,385	38,192	33,418	-
2024 Carryovers - PACs in 2026 IUP	102,232	-	-	23,002	40,893	20,446	17,891
Subtotal Carryover Backlog	293,193	-	42,966	99,387	79,085	53,864	17,891
<b>Outstanding Commitments before 2025 IUP</b>	<b>\$1,094,145</b>	<b>\$290,775</b>	<b>\$330,142</b>	<b>\$247,632</b>	<b>\$153,841</b>	<b>\$53,864</b>	<b>\$17,891</b>
2025 Proposed	100,000	-	22,500	40,000	20,000	17,500	
<b>Outstanding Commitments with 2025 Request</b>	<b>\$1,194,145</b>	<b>\$290,775</b>	<b>\$352,642</b>	<b>\$287,632</b>	<b>\$173,841</b>	<b>\$71,364</b>	<b>\$17,891</b>
* Represents remaining funds to be disbursed on approved construction loans.							
** 2024 Project Approval Certificates issued by close of calendar year.							



**Item #5: *(No Reference Documents)***