

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

Meeting Minutes

Meeting Date: Wednesday, December 8, 2021
Time: 1:00 PM
Location: Remote
Notice: Due public notice given
Attendees Sue Perez, Executive Director, Trust
Timur Yontar, Director of Finance & Administration, Trust
Also Present Nate Keenan, Deputy Director, Trust
Sally Peacock, Controller, Trust
My Tran, Treasurer, Trust
William Kalivas, Treasury Specialist, Trust
Jonathan Maple, Policy Analyst, Trust
Joshua Derouen, Program Associate, Trust
Keelan Baldwin, Interim, Trust
Robin McNamara, Deputy Director of Municipal Services, MassDEP
Ashraf Gabour, Program Manager, MassDEP
Michele Higgins, Section Chief, MassDEP
Greg Devine, Section Chief, MassDEP
Absent Maria Pinaud, Director of Program Development, Trust

SUMMARY OF DISCUSSIONS	
	<u>Open the Meeting:</u> Ms. Perez opened the meeting after confirming the attendees present.
1.	<u>Minutes:</u> The Committee moved to table the meeting minutes from the 10/27/2021 meeting of the Executive Committee.
2.	<u>Utilizing the American Rescue Plan Act (ARPA) Funds and the Bipartisan Infrastructure Law:</u> Effects on Capacity Ms. Perez said that ARPA funds are intended to be used as additional loan forgiveness to increase program capacity after the Massachusetts bill is signed into law. In 2022, the Trust expects to receive about \$200 million in EPA grants through the Bipartisan Infrastructure Law (BIL) in addition to the annual federal capitalization grants. The exact amount has yet to be confirmed. The Trust will send an updated state match request to the Executive Office for Administration and Finance (A&F) for these new grants. There will be new PFAS and lead remediation grants that will not have a state match component.

The lead remediation projects listed on the 2022 Intended Use Plan (IUP) should all move forward because of the funding available from the new grants under the BIL and the \$30 million available from the Water Infrastructure Fund Transfer Act.

Current State of Massachusetts ARPA Bill

Ms. Perez said that the ARPA bill that is on the Governor's desk would allocate \$100 million to be used by the Clean Water Trust. Approximately \$13 million of it is earmarked for specific communities and projects. Some of the projects are not related to water infrastructure.

The bill requires that the Trust file a report on the projected use of funds to A&F and the legislature before any funds are committed.

Resources and Staffing

Ms. Perez delivered a presentation on the impact ARPA funds and new grants from the BIL would have on the Trust and MassDEP's resources and staffing.

Potentially, twice as many projects are scheduled to be financed on the 2022 IUPs compared to the 2021 IUPs. There were 50 Clean Water State Revolving Fund (CWSRF) projects financed in 2021 while 107 are expected to be financed in 2022. There were 26 Drinking Water State Revolving Fund (DWSRF) projects financed in 2021 while 61 are expected to be financed in 2022.

Any APRA funds will need to be expended by 2026. There will be reporting requirements throughout this time.

When considering the current staffing levels and expertise needed to take on more DWSRF projects, especially lead projects under a new program, we many need to look into issuing a request for responses (RFR) to get help from consultants.

Mr. Gabour said that if we look back to the American Recovery and Reinvestment Act of 2009 as an example to follow for the use of the new funds, we need to remember that MassDEP reallocated staff from other programs and regions to assist the Division of Municipal Services.

Ms. McNamara said that the Clean Watershed Needs Survey will be taking place at the same time as the increase in funding is received.

Planning Projects

Mr. Gabour said that less MassDEP oversight is required for planning projects than construction projects. Planning projects are reviewed but do not involve inspections and bid reviewing like with constructions projects and would not require as much work hours from staff.

	<p>Asset Management Planning (AMP) Projects</p> <p>Ms. Perez said that the amount of AMP projects scheduled to be financed with the 2022 IUPs is about twice as many as with the 2021 IUPs.</p> <p>Consultants may be helpful with AMP projects because even though there is less oversight needed than construction projects, we want to prevent backlog.</p> <p>Full-Time Equivalent Employee (FTE) Cap for MassDEP</p> <p>Ms. McNamara said that EPA grant funds can be used to help pay for more staffing.</p> <p>Ms. Perez said that the Trust and A&F are there to help if there are any concerns at MassDEP about exceeding this cap because there is funding for the roles and a need to hire.</p> <p>Hiring New Engineers</p> <p>Ms. Perez said that if the new funds are able to be used as soon as 2022, we need to think about how quickly new MassDEP engineers will have to be hired and learn the programs.</p> <p>Ms. McNamara said that this may be a challenge because recent MassDEP postings for engineer job openings have yielded small applicant pools.</p> <p>The Division of Municipal Services is evaluating staffing needs to be presented within the agency for consideration</p>
3.	<p><u>Reviewing 0% Interest Rate Eligibility for Nutrient Enrichment Reduction Loans:</u></p> <p>Mr. Keenan said that in order to better communicate the requirements for 0% interest loans to finance nutrient enrichment reduction projects, MassDEP may want to consider having the Trust take over some of the communications and document collection.</p> <p>The Trust communicating directly with community financial officials could create a greater sense of urgency to meet the project requirements for 0% interest loans.</p>
<p>Other Business (Items not reasonably anticipated by the Chair 48 hours in advance of the meeting)</p> <p>None</p>	
<p><u>Adjourn the Meeting:</u> Ms. Perez requested a motion to adjourn the meeting. Mr. Yontar moved the motion. A roll call was held, and all members approved the motion.</p>	

LIST OF DOCUMENTS AND EXHIBITS USED:

1. Resources and Staffing Presentation

Minutes Approved: January 19, 2022