

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

Meeting Minutes

Meeting Date: Wednesday, February 28, 2024
Time: 1:30 PM
Location: Remote
Notice: Due public notice given
Attendees Sue Perez, Executive Director, Trust
Timur Yontar, Director of Finance & Administration, Trust
Maria Pinaud, Director of Program Development, Trust
Tim Jones, Deputy Director of Program Development, Trust
My Tran, Treasurer, Trust
Also Present Nate Keenan, Deputy Director, Trust
Sally Peacock, Controller, Trust
Pam Booker, Accountant, Trust
Nicole Munchbach, Accountant, Trust
Sunkarie Konteh, Accountant, Trust
Joshua Derouen, Senior Program Associate, Trust
Kailyn Fellmeth, Program Associate, Trust
Julian Honey, Program Associate, Trust
Jonathan Maple, Senior Policy Analyst, Trust
Rachel Stanton, Investor Relations and Communications Graphic Designer, Trust
Robin McNamara, Deputy Director of Municipal Services, DEP
Michele Higgins, Program Manager, MassDEP
Greg Devine, Section Chief, MassDEP
Kathleen Baskin, Assistant Commissioner, DEP
Jennifer Pederson, Executive Director, Massachusetts Water Works Association

SUMMARY OF DISCUSSIONS

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

- 1. Discussion on Build America Buy America Act (BABAA) Implementation:** Ms. Pinaud stated that MassDEP has requested EPA Region 1 to provide additional written guidance on BABAA implementation.
- Mr. Keenan said that only projects reported on the Trust's Federal Funding Accountability and Transparency Act (FFATA) reports need to comply with BABAA requirements. All Congressional Direct Spending (earmark projects) need to be BABAA compliant too.
- There is uncertainty over which 2023 Intended Use Plan (IUP) projects need to be BABAA compliant. There is one community that is seeking permission to advertise for bidding that needs a timely answer on how BABAA applies to their 2023 IUP project.

	<p>Ms. Perez said that the Executive Committee will discuss how to approach special situations like the community with the 2023 IUP project seeking permission to advertise on a case-by-case basis.</p> <p>Mr. Keenan said he would get confirmation from EPA in writing on the specific project to confirm that if it does not appear on the FFATA report, then it would not have to be BABAA compliant.</p> <p>The most up to date BABAA compliance information will appear on the final 2024 IUPs.</p>
2.	<p><u>Asset Management Planning (AMP) Grant Program Update:</u> Mr. Maple stated that there has been a prequalified list of engineering firms since the inception of the AMP Grant Program. However, the contract expiration is forthcoming. The Trust and MassDEP could extend the contract, go out to procurement for a new contract, or opt to let the current contract expire.</p> <p>Ms. Pinaud stated that there is no longer a demonstrated need for the prequalified list. The number of AMP projects exceeds the capacity of firms on the prequalified list. It would be best for communities to work with engineering firms familiar with their water utilities.</p> <p>Mr. Maple and Ms. Perez recommended that the list of prequalified firms be kept as a list of verified vendors.</p> <p>MassDEP will continue to review and verify AMP deliverables before final payments and project closeout can be issued.</p>
<p>Other Business (Items not reasonably anticipated by the Chair 48 hours in advance of the meeting):</p> <p>Update on the Cape Cod and Islands Water Protection Fund (CCIWPF)</p> <p>Ms. Perez noted that the Cape Cod Commission is enthusiastic about the proposed solution to extend the life of the CCIWPF. To facilitate the change, the Commission is updating their bylaws. Additional updates will be provided in the coming weeks.</p>	
<p><u>Adjourn the Meeting:</u> 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.</p>	

Minutes Approved: March 20, 2024