

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

**Meeting Minutes**

**Meeting Date:** Wednesday, March 16, 2022  
**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  
**Also Present** Sally Peacock, Controller, Trust  
My Tran, Treasurer, Trust  
William Kalivas, Treasury Specialist, Trust  
Jonathan Maple, Senior Policy Analyst, Trust  
Joshua Derouen, Senior Program Associate, Trust  
Rachel Stanton, Investor Relations and Communications Graphic Designer, Trust  
Ashraf Gabour, Program Manager, MassDEP  
Michael Celona, Drinking Water Specialist, MassDEP  
Jennifer Pederson, Executive Director, Massachusetts Water Works Association

| SUMMARY OF DISCUSSIONS |   |
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|                        | <b><u>Open the Meeting:</u></b> Ms. Perez opened the meeting after confirming the attendees present.  |
| 1.                     | <b><u>Minutes:</u></b> The Committee approved meeting minutes from the 2/23/2022 meeting of the Executive Committee.  |
| 2.                     | <b><u>MassDEP staffing plans update:</u></b> Ms. Pinaud said that MassDEP is moving forward with interviews to fill the position that was opened with the retirement of SRF project engineer Mr. McGrath.   |
| 3.                     | <b><u>Decision on the EPA's Overflow and Stormwater Grant (OSG):</u></b> Mr. Keenan said that the Trust will apply for the OSG. If the Trust is awarded the grant, the 2022 Intended Use Plan (IUP) will be amended to detail how the funds will be applied. The Trust is confident that it will be able to spend the estimated \$1.7 million within the timeline that the EPA has given. |
| 4.                     | <b><u>Update from the working group for implementing focus group recommendations:</u></b> Mr. Maple said that the working group has drafted a list of goals and strategies. The Trust has already made progress towards achieving some of the goals.  |

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|    | <p>There are going to be more efforts to assist communities ahead of IUP solicitations by developing a list of communities to target for outreach. A presentation on how to apply to the solicitation will also be created.</p> <p>A website review is currently underway. New pages on the Trust website have been added, webpages for programs not in use have been deleted, and changes have been made to help users access existing pages more efficiently.</p> <p>Mr. Keenan said that Mass.gov's new features such as promotional pages will also be part of website improvements.</p> <p>Mr. Maple said that creating a LinkedIn account will add to our social media outreach.</p> <p>The Trust will also be working with MassDEP and the Executive Office for Administration and Finance (A&amp;F) to promote our programs along with outside infrastructure programs for communities.</p> <p>A recommendation will be brought to the Trust's Board of Trustees for approval that will create new programs for planning and design loans. Specifics still need to be finalized.</p> |
| 5. | <p><b><u>Timing for approving Disadvantaged Communities and American Rescue Plan Act (ARPA) loan forgiveness:</u></b> Mr. Keenan said that a few years ago, the Trust switched from distributing loan forgiveness pro rata from a set amount based on the federal grants to fixed percentages per loan set when the IUP is released. We may want to consider how loan forgiveness amounts are approved by the Board now that fixed percentages are used. Instead of loan forgiveness amounts for all eligible projects being approved at once, the amounts could be approved at the same Board meeting that agreements are approved.</p> <p>Mr. Keenan and Ms. Perez said that a list of projects eligible for loan forgiveness since the last Board meeting when loan forgiveness was awarded can be created and circulated so members of the Executive Committee can see the loans prior to it being put to a Board vote.</p>  |
| 6. | <p><b><u>ARPA Financing Agreement language:</u></b> Mr. Keenan asked Mr. Yontar if A&amp;F has drafted language for the ability to claw back ARPA proceeds if a community were to violate project requirements.</p> <p>Mr. Yontar said that A&amp;F's federal funds office would be able to provide an answer.</p> <p>Ms. Perez added that the Trust's general counsel needs A&amp;F's guidance on ARPA funds to make sure that both the Trust and A&amp;F have the same understanding of the requirements.</p>  |
| 7. | <p><b><u>Falmouth Wind Turbine:</u></b> Ms. Perez said that the Town of Falmouth recently sent her a letter asking that the Trust forgive an additional part of their obligation for the Wind Turbine 2 project. This letter should be brought to Commissioner Suuberg of MassDEP and Secretary Heffernan of A&amp;F for review. A recommendation will be written then presented to the Trust's Board of Trustees for approval.</p>  |

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|    | <p>Mr. Yontar asked for more details on the Wind Turbine 2 project.</p> <p>Ms. Perez explained how Falmouth was issued a loan with federal funds and 100% loan forgiveness to build Wind Turbine 2. This loan was eligible for 100% loan forgiveness and federal funds because it met the energy efficient project requirements under the American Recovery and Reinvestment Act (ARRA).</p> <p>The Town of Falmouth and Commonwealth of Massachusetts were sued by a group of people that wanted Wind Turbine 2, along with another turbine not financed by the Trust, to be taken down.</p> <p>The Town of Falmouth voted to turn the turbines off. This meant that Turbine 2 was not operating as an energy efficient project so it was violating the loan agreement.</p> <p>Falmouth is in the process of taking down both turbines.</p> <p>Ms. Pinaud and Mr. Yontar said they would bring the letter to the respective Board members to review and this would be discussed at the next Executive Committee meeting.</p> |
| 8. | <p><b><u>Zero-Percent Interest Nutrient Enrichment Reduction Loan List Review:</u></b> Mr. Gabour said that reviews for two Chatham projects were completed recently which showed that both are eligible for zero-percent interest loans. The review on the eligibility for an Orleans project is close to completion. Updates on all projects that could qualify for zero-percent interest loans will continue to be provided before each Board meeting.</p> <p>Mr. Keenan and Mr. Gabour explained how guidance will be given to all borrowers requesting zero-percent interest loans for nutrient enrichment reduction projects. The Trust will be kept informed on communications with the consulting engineers that will begin at the time of project proposals. The Trust will contact financial officials to inform them of the requirements and process.</p> <p>Ms. Pinaud said that there will be a meeting for the 2022 IUP communities with eligible projects to go over the requirements.</p>                     |
| 9. | <p><b><u>Bipartisan Infrastructure Law (BIL) guidance:</u></b> Ms. Perez asked if the final 2022 IUPs would be categorized in a way that would show projects to which certain BIL funds can be applied.</p> <p>Ms. Pinaud said that the draft 2022 IUPs already distinguish PFAS remediation projects and lead projects from others. There are not any PFAS remediation projects on the 2022 Clean Water (CW) IUP.</p> <p>Ms. Perez said that funds from the BIL CW PFAS grant can be transferred to the Drinking Water SRF so that more funds can be committed to Drinking Water PFAS remediation projects.</p>  |

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| 10.  | <p><b><u>Collaboration between the Massachusetts Clean Water Trust and United States Department of Agriculture (USDA):</u></b> Mr. Yontar said that USDA is expecting to receive federal funds that it can commit to projects in rural communities. Knowing the needs of rural communities in western MA would help USDA. He also asked if MassDEP interacted with USDA.</p> <p>Ms. Pinaud said that MassDEP has worked with USDA the past few years to let them know about the projects that do not rank high enough to be selected to the IUPs. These communications are going to continue.</p> <p>Ms. Perez said that if we make sure that MassDEP and A&amp;F are sending the same message to the same people at USDA, a helpful collaboration will continue.</p>                                      |
| 11.  | <p><b><u>Funding private school water sampling via MassDEP School Water Program:</u></b> Mr. Maple said that there are private schools eligible to be awarded grants under the School Water Improvement Grant (SWIG) program. However, these same private schools are not eligible to receive technical assistance for testing through the MassDEP School Water Program. Testing and entering test results through MassDEP's system is required to receive a grant through SWIG.</p> <p>The EPA has approved the idea of a one-time transfer of about \$400,000 to be used over three years to help close this funding gap. The Trust's Board of Trustees will need to approve such transfer.</p> <p>Ms. Perez said that this can be discussed in more detail at the next Executive Committee meeting.</p> |
| <p><b>Other Business</b> (Items not reasonably anticipated by the Chair 48 hours in advance of the meeting)</p> <p>None</p>  |  |
| <p><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.</p> |  |

#### **LIST OF DOCUMENTS AND EXHIBITS USED:**

1. Letter from Town of Falmouth to the Massachusetts Clean Water Trust

Minutes Approved: April 20, 2022