



## MEETING SUMMARY

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**PROJECT:** Sustainable Stormwater Funding for Upper Charles River – Steering Committee Meeting

**MEETING DATE:** November 15, 2010

**LOCATION:** Bellingham Town Hall

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Attendees:

Town of Bellingham	Denis Fraine, Town Administrator; Donald DiMartino, DPW Director
Town of Milford	Michael Santora, Town Engineer; Rosalie Starvish, GZA GeoEnvironmental, Inc.
Town of Franklin	Jeffrey Nutting, Town Administrator; Brutus Cantoreggi, DPW Director; James Esterbrook, DPW
495/MetroWest Partnership	Jessica Strunkin
MADEP	Fred Civian
U.S. EPA	Ray Cody; Ken Moraff; Gina Snyder
Horsley Witten Group	Rich Claytor, Michelle West, Anne Kitchell
AMEC	Andy Reese, Rich Niles

The following is a brief meeting summary of the Steering Committee Meeting on November 15, 2010, organized by agenda item and including action items requiring follow up.

### 1) Review overall project schedule and milestones

- HW prepared and presented a two-page handout describing the context of the project and a schedule of the major project tasks.
- Rich Claytor (HW) reviewed the project timeline and highlighted key review and decision points by stakeholders. Between now and mid-February, HW is working closely with the three towns to collect information necessary to develop a draft report on existing program costs and projected costs for permit compliance.
- A draft Program Cost Report will be submitted to the Towns for review in February and will be the focus of the next steering committee meeting in mid-February.
- By the end of March, HW will prepare and submit a draft Funding Options Report, which will outline an evaluation of various funding mechanisms, including but not limited to a stormwater utility.
- A draft and final Evaluation Report containing revised versions of the Program Cost and Funding Options Reports should be completed by June 1<sup>st</sup>, but an extension is possible if needed.
- **Action item:** To ensure the openness of the process and improve information sharing, Ray Cody (EPA) offered to create and host a project website, which will include downloadable copies of presentations, meeting agendas/minutes, regularly updated progress reports, and other information. This website will be available to the steering committee and the public.

## 2) Status report related to information collection and assessment including Town concerns

- Rich Claytor gave an update on the GIS data, relevant program information, and town priorities compiled to date. Rich gave a brief overview of information collected during the one-on-one meetings held with each town, including town-specific priorities which we will incorporate into the scope where feasible. Milford provided a written list of priorities, as has 495/Metro West Partnership. Rich reiterated that public education is important, and we will continue to work with EPA to incorporate this element into the project.
- **Action Item:** Additional materials to be provided to HW include:
  - Rosalie Starvish (GZA) to send HW the Milford Pond Study (we have the Godfrey Brook Feasibility Study already).
  - Donald DiMartino to send HW the stormwater facilities audit and detention basin maintenance logs.
  - Franklin to send their information on maintenance costs to HW.
- Brutus Cantoreggi (Franklin) commented that the cost analysis for permit compliance should include not only initial costs, but also ongoing O&M costs as well. Rich Claytor responded in the affirmative, agreeing that O&M costs will be included.
- Brutus Cantoreggi also asked a number of questions directed to EPA related to the feasibility and ultimate benefits of enhanced stormwater compliance: (1) What are the measureable goals that can be clearly used to justify the expense to the community; (2) Is it feasible to meet permit requirements under the proposed timeframe; and (3) Does EPA anticipate lowering the % reduction requirement? Ken Moraff (EPA) responded that the measureable goal is meeting the TMDL % reduction targets and showing improvement in WQ in Charles River. EPA is required to ensure attainment with WQ standards, but the implementation timeframe is the variable that likely could be adjusted.
- Jessica Strunkin (495/MetroWest Partnership) agreed on the concern about the timeframe being potentially too short; particularly given the town meeting process. She also mentioned the importance of ensuring that the MS4 permits are not going to limit a regional versus individual approach to the Certified Municipal Phosphorus Plan (CMPP) and/or utility. The potentially regulated property owners want to know what their options are and what the CMPP is going to look like.
- Rich Claytor described various alternatives to what a Phosphorous Control Program (PCP) might look like, including a fee in lieu/mitigation program similar to the Federally Regulated 404 wetlands mitigation banking system.

## 3) Presentation on stormwater utilities

- Rich Claytor introduced Andy Reese (AMEC) to the Steering Committee as the Team's expert on stormwater utility development and implementation. Andy has worked on establishing over 30 utilities around the country, including a number here in New England. He gave examples of Town/County-based vs. regional utilities and explained that these are often established based on impervious cover, but could also be done based on pollutant load generation assuming a rational connection can be made between the amount of pollution generated by the user and the services provided.

- Andy Reese gave a primer on the basic concept of financing local stormwater programs using an enterprise fund/stormwater utility similar to how water and sewer utilities operate. The group discussed key considerations, including advantages and disadvantages, in pursuing a regional stormwater utility.
- Jeffery Nutting (Franklin) was concerned about not having a clear understanding how the RDA and the MS4 components of a utility would work. Andy described various utility scenarios and reiterated that a utility can be set up however envisioned—there could be a separate rate/surcharge for RDA parcels, or a different fee structure for properties within the Charles River Watershed versus outside the watershed, as examples.

#### 4) Other coordination

- Jessica Strunkin provided a list of commercial/industrial owners that want to participate in the RDA/CMPP/PCP conversation, either by serving on an Industry Advisory Committee, attending meetings, or being included in relevant communications. Referring in part to a November 12, 2010 letter submitted on behalf of I495 Partnership, NAIOP and AIM, she reiterated that the industry wants to know what the fee structure is going to be; are they on their own or part of the Towns' approach; and what the CMPP was going to look like. She mentioned the involvement of industry constituents in the Long Creek project, and wanted to know if additional meetings for RDA constituents were appropriate.
  - Rich Claytor mentioned that February is probably the best timeframe for those types of meetings, since we will have compiled and evaluated existing program costs and future costs of compliance. He recommended using the project website for now, or possibly Web-ex meetings, as the information source.
  - Ken Moraff proposed that EPA host some meetings with RDA industry, and invite the towns to participate.
- Rich Claytor mentioned that there will be a series of MAPC presentations by Martin Pillsbury on Dec 6, 2010 at 3 PM (Franklin) and 7 PM (Bellingham) on the basics of stormwater utilities. No meeting date has been assigned, yet, for a presentation in Milford. Jeffery Nutting encouraged attendance by others for the Franklin presentation.
  - **Action Item:** MAPC presentations should be posted/or linked on the project website.
  - **Action Item:** HW to send MAPC announcement flyer to Jessica for distribution to the industrial constituents.
- Fred Civian (MassDEP) provided background information on the 319 grant awarded to CRWA to develop a phosphorus trading program tool that includes a site suitability analysis and a trading tracking system. The model is a pilot, but will be in the public domain. The effort does NOT involve development of recommended trading rules.

#### 5) Next Meetings

- Nov–Dec, MAPC presentations on DLTA Project
  - Franklin: Dec 6 (3 PM)
  - Bellingham: Dec 6 (7 PM)
  - Milford: (TBA)

- Mid-February, Steering Committee (TBA)
  - **Action item:** As time approaches, HW will coordinate with Franklin and others on time/place for mid-February steering committee meeting.
  - **Action item:** Towns should begin informing their public officials now about this study (e.g., FAQs), and further outreach will be done in April/May once we have draft reports in hand.