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MEETING SUMMARY

PROJECT: Sustainable Stormwater Funding for Upper Charles River – Steering Committee Meeting #5
MEETING DATE: September 12, 2011
LOCATION: Bellingham Municipal Center, 10 Mechanic Street, Bellingham, MA

Regular Steering Committee 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	Jeff 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; Bill Walsh-Rogalski, Josh Secunda, Michael Ochs
MAPC	Martin Pillsbury
Horsley Witten Group(HW)	Rich Claytor, Anne Kitchell
AMEC	Rich Niles

Other Attendees: Ham Hackney; Brian Bass; Paul Hogan; Brian Kelly; Todd Schively; Erika Paulhus; George Preble; Barry Feingold; Rick Kaplan; Kerri Furtack.

Horsley Witten Group (HW) and AMEC staff completed the draft report on the feasibility assessment for a sustainable stormwater funding program in the Upper Charles on August 25, 2011. The purpose of Steering Committee #5 was to review the draft report and solicit input on the content. HW presented an overview of the content of the manual at Report Section intervals, per the final agenda. The following presents a summary of questions and/or comments from the meeting attendees.

Comments/Questions on Section 1 and 2

- Ham Hackney: How were DD sites determined? Response: DD sites came from EPA analysis. HW did not perform an additional analysis, particularly associated with aggregated properties or shared activities.

- Ham Hackney: How did you determine what drains to the Waters of the U.S.? Response: HW did not perform an additional analysis. The assumption is that the entire watershed drains to the Charles River and contributes to phosphorus loading.

Comments on Section 3 and 4

- Jessica Strunkin: Does the $180 million include DDs plus MS4? Response: Yes and a 15% phosphorus reduction from non-structural measures applies to both the DDs and the MS4.

- Jessica Strunkin: A phosphorus ban wouldn't include agricultural lands. Response: Correct. Agricultural lands, however, are a small contributor of watershed. Also, the cost/acre applies to impervious areas within agricultural lands and doesn't apply to nutrient loading to croplands.

- Don DiMartino: Who is going to monitor / measure effectiveness of the phosphorus reduction efforts? Response: It makes sense to monitor effectiveness closer to source and at reasonable frequencies so as to capture the benefits of actions and inform future decisions. The draft report recommends doing this. The draft MS4 permit includes the provision to petition EPA to allow in-stream monitoring in lieu of wet weather outfall sampling. The costs for wet weather outfall monitoring have been included in the draft report and feasibility analysis.

- Jeff Nutting: We recommend that monitoring occur more locally rather than down at the Watertown dam.

<u>Comments on Sections 5 and 6</u>

- Fred Civian: Add context to page 5.3 to highlight that the enabling legislation for MGL 83, Sec 16 was actually revised from existing sewer service assessments to add the "stormwater utility" option.

- Jeff Nutting: Do not include "impact fee" in the list of options for "Exactions," at these were ruled by MA courts to be illegal.

- Mike Santora: State and federal highways are under court order to do BMPs. Response: Yes, they are excluded from revenue generation, but cost of retrofitting these roads would not fall to towns. The towns could take credit for TP reductions, but would have to do the accounting for that. There is a mechanism in the MS4 permit to account for this reduction.

- Don DiMartino: Is the 5-year average for operational costs applied across the whole 25 yrs? Yes. Operational costs, plus inflation, are part of the annual costs used to derive required revenue.

- Jeff Nutting: What if we did a dedicated Override for the first couple of years to cover operational costs; then use a stormwater utility to cover capital improvement costs? What would be the disadvantage of this? Response: Likely only equity issues - this revenue would be derived from property assessments rather than runoff generation. Also over the long term the revenue needs to be a stable source.

- Ham Hackney: For the ERU fee curves for the 4 implementation scenarios, can you show the "area under the curve" to better quantify fee comparison between the different options? Response: We can show the cost differential but it might be a little tricky because of the inflation and bonding factors added to current dollars. HW will look into this for the final report.

- Brutus Cantoreggi: It seems infeasible and impractical to even think that the accelerated option could even happen on the ground, given the towns' current resources and capabilities.

- Ham Hackney: The DDs are not shown outside of the watershed, but ERUs are calculated for the whole town (including outside of watershed). Response: Impervious cover falls under "other IA", but we can show the math with the ERUs for just inside the watershed. This will likely be included as an additional appendix in the final report.

- Question: Aren't DD's getting hit twice if they have to fix the problem and then have to pay the utility fee on top? Response: There will have to be credit system in place so they can reduce their fee. HW has not done the analysis at this time because there are too many policy decisions to be made by the towns regarding how the credit system is structured, such as how much credit one would get, or how to account for roads, among other decisions.

<u>Comments Section 7-8</u>

- Show operation costs across the full 25 years so readers can understand the full estimated costs.
- Jessica Strunkin: Executive summary does a good job at conveying the concepts. Note: HW is working on a four page brochure for the general public.
- Paul Hogan: Recommend adding more on the watershed planning context.
- Comment: Remove the "billing cost" column from Table E-9 (and corresponding table in Section 6).
- Comment from Franklin: Change assumed bond rate for future expenditures from 2% to 4%.
- Ham Hackney: Where is this report going now? Response: It will be posted on the website for public access. Ken Moraff from EPA also responded that this report has clearly helped EPA in their decision making process regarding the implementation schedule.
- Paul Hogan: Expand the ERU development discussion and perhaps give a few examples.
- Martin Pillsbury: What is the scale for the watershed plan recommendation? Response: depends on funding and the ultimate purpose, but probably not for full Charles River watershed. Martin suggested perhaps including the full "Upper Charles" which might include the upper 1/3 of the watershed so that restoration opportunities downstream from the three towns wouldn't be missed. HW responded that is would likely depend on budget but that we didn't want the scale to be too large so as to make the plan too general.
- Don DiMartino: Why are Bellingham's DD capital costs so low in comparison to Franklin? For example (the cost is about a quarter, but the impervious area is about half). Response: It is likely due to existing soil types in Bellingham and the ratio of impervious to pervious cover on the DD sites that allows for application of most cost effective BMPs (i.e., surface infiltration practices) that are significantly less expensive than other structural control measures. HW will look at this more carefully and talk to Mark Voorhees to confirm.

Final report due on Sept 30th. Comments due on Sept 19th.