

PUBLIC INTEREST ADVISORY COMMITTEE (PIAC) MEETING
September 24, 2002, 2:30 to 4:30 PM, MADEP Boston
FINAL MINUTES

ATTENDANCE

Members Present: Patty Foley, Save the Harbor/Save the Bay (chair); Bruce Berman, SH/SB (alternate); Ed Bretschneider, Wastewater Advisory Committee; Marianne Farrington, New England Aquarium; Joe Favaloro, MWRA Advisory Board; Maggie Geist, Association to Preserve of Cape Cod; Sal Genovese, Safer Waters in Massachusetts; Tara Nye, APCC (alternate); and Steve Tucker, Cape Cod Commission (alternate).

Observers: Cathy Coniaris, MADEP; Ben Kelly, Save the Harbor/Save the Bay; Steve Lipman, MADEP; Mike Mickelson, MWRA; Andrea Rex, MWRA; and Jonathan Yeo, MWRA.

SUMMARY OF ACTION ITEMS

1. PIAC approved the July 15, 2002 minutes with one amendment. PIAC members that are alternates will be noted in the attendance section.
2. A. Rex agreed to provide a list of which monitoring activities answer which questions, and at what cost. She will also provide copies of the 1991 ambient monitoring plan to PIAC.
3. PIAC hopes that out the monitoring review comes an easily understandable explanation of what monitoring will be kept, changed, and/or deleted.
4. PIAC requested that information on MWRA's proposed fast track changes be provided to PIAC as soon as possible. PIAC may have a conference call once that information is provided.
5. PIAC recommends that the next OMSAP public workshop either piggyback with another event to improve attendance, or take on another format, such as a web discussion, or radio call-in program.

MINUTES

REVIEW OF DRAFT JULY 15, 2002 MINUTES

PIAC members were asked if they had any comments on the draft July PIAC minutes. J. Favaloro expressed concern about how PIAC opinions are portrayed to OMSAP. P. Foley reminded J. Favaloro that PIAC's charge is to represent the public and to hear from all who take the time and devote the energy to participating at OMSAP and PIAC meetings. P. Foley went on to say that over the course of her tenure as Chair, she has provided ample opportunities for PIAC members to participate in the group's work regardless of whether they attend meetings or not. Specifically, there have been several occasions when she has convened conference calls (at SavetheHarbor/Save the Bay's expense) for PIAC members to discuss outstanding issues and to prepare for quarterly meetings. Unfortunately, attendance and participation on conference calls has been sporadic.

She went on to say that as OMSAP and PIAC undertake the review of current monitoring practices and protocols, she hopes that attendance will increase. And, of course, she anticipates that she will call for recorded votes from individual PIAC members.

J. Favaloro then brought up meeting locations and how difficult it is for him to make it to meetings in Woods Hole. C. Coniaris explained that meetings are usually split between Boston and Woods Hole. More than half of OMSAP is from the Woods Hole area, or Rhode Island and meetings in Woods Hole are convenient for them. B. Berman suggested that J. Favaloro send an alternate to the meetings that he cannot attend. E. Bretschneider liked the idea of having conference calls to communicate on a

regular basis. P. Foley agreed, but unfortunately, conference calling with the entire committee is costly and MADEP will not cover the expense.

ACTION: PIAC approved the July 15, 2002 minutes with one amendment. PIAC members that are alternates will be noted in the attendance section.

REVIEW OF OMSAP MEETING

C. Coniaris summarized the OMSAP meeting [see OMSAP September 2002 minutes]. S. Tucker brought up his concern about PIAC not being invited to the EPA/MADEP/MWRA meeting to discuss the August 2002 total suspended solids (TSS) exceedances. S. Lipman explained that because of the nature of the exceedances, the regulatory agencies were reviewing the incident that caused the TSS exceedances to see if any enforcement actions were necessary. Therefore, inter-agency policy deliberation meetings such as the one last week are closed to the public, until regulatory decisions can be made. S. Tucker said that he did not want to hinder the decision-making process; instead, he merely wanted to attend as an observer.

PIAC NOTIFICATION OF EXCEEDANCES

PIAC then had a discussion about notification when there is an exceedance. S. Tucker thinks that PIAC is notified in a timely manner, with good information, but he emphasized that it is important that they receive any technical information as soon as it is available so that there is time to review it in case the press call for further information.

PIAC INPUT TO MONITORING REVIEW

P. Foley began the discussion by asking the group what information they need. A. Rex informed the group that according to the permit, the annual deadline to submit changes to the monitoring plan to EPA/MADEP is November 15 and MWRA intends to submit a package to the regulatory agencies. These proposed changes will be listed in the Environmental Monitor and will occur before the technical review workshops. The proposed changes are issues that MWRA thinks will be easy to understand, simple to decide on the course of action, and do not require a technical workshop for review. MWRA is still working on the proposed changes and will present them to OMSAP at their next meeting. S. Lipman added that there will be a formal comment period for the public. The length of the comment period can be extended beyond 30 days.

C. Coniaris handed out a list of incidents and exceedances and changes to the monitoring plan since the permit when into effect in August 2000. This list was requested during the last PIAC conference call. P. Foley then asked if the monitoring plan was posted on the web. A. Rex replied that if it is not, then she will make sure that it is posted. S. Tucker added that during the conference call, PIAC members discussed that they wanted MWRA to stipulate which monitoring parameters were likely to continue into the future. A. Rex pointed to the MWRA information briefing that looks at the monitoring questions. The effluent monitoring is in the permit and is not up for elimination. There are some parts of the ambient monitoring that are outside of the ambient monitoring plan, but within the permit (including: modeling, additional red tide monitoring, nitrogen report) that can't be changed either. What is up for review are items that are within the ambient monitoring plan, but not prescribed separately within the permit. We are in a position from shifting from looking at acute impacts to looking at more chronic questions so perhaps a different design is appropriate for that.

P. Borrelli asked if there is a one-line description of each of the various investigations that address each of the 43 questions. The monitoring questions will have to be approached differently when looking at acute vs. chronic effects. A. Rex replied that there is a table in the July 2002 information

briefing that summarized this. Also, the annual Outfall Monitoring Overview summarizes the entire program.

P. Borrelli said that when the Center for Coastal Studies realized that they were not seeing acute effects of the outfall with the nitrogen isotope monitoring, they had to reconfigure the project to look for more chronic effects. He thinks that when reviewing the monitoring, it is important to look at the percentage of cost for each of the monitoring parameters. P. Foley assumed that as part of the review, we would look at the value/cost for each of the programs. A. Rex agreed. P. Borrelli added that if there is not going to be an increase in monitoring expenditures, then we need to see if there is any shifting that needs to get done. B. Berman agreed that it's important for PIAC to know which investigations are the most important to continue and whether there is any redundancy in the monitoring. A. Rex agreed to provide a list of which monitoring activities answer which questions, and at what cost. E. Bretschneider noted that two words mentioned have different meanings: "value" and "cost". The highest cost is not always the highest value, and vice-versa. Other PIAC members agreed. P. Borrelli noted that when there is a shift to looking at chronic effects, there is always a shift towards more cost because of the long-term monitoring and finer scale needed. E. Bretschneider thinks it is important to look at value, to decide if money is being spent wisely. P. Borrelli thinks that identifying redundancy does not always save money because the same data may be collected by different agencies for completely different reasons.

S. Tucker thinks that each group on PIAC will want to comment on any proposed revisions, but it will be a challenge to sum up PIAC's view in one document that the majority of the members can agree on. P. Foley thinks that though PIAC as a group may not all agree, individual members are free to present their own views. B. Berman thinks that though PIAC members do not always agree, we have worked to hear and present the views of the individual members, and we may choose to continue to work that way.

J. Favaloro said that one of the things that he would like to see out of the review process is to hear in layman's terms how questions were answered and whether or not the monitoring for that question needs to continue. There needs to be a better layman's understanding of why parts of the monitoring should continue, be changed, or be stopped. This information needs to be clearly presented to the public. PIAC members agreed. A. Rex also agreed and thinks that this will be the challenge of the workshops because the workshops will be technical. M. Farrington offered to help with any "translation" of technical issues for the public. M. Geist said that when she looks at the questions, she can't relate them to specific programs that are underway, specifically those that have to do with the permit, those that trigger thresholds, and those that are part of the ambient monitoring. A. Rex described the 1991 ambient monitoring plan report that lays out the rationale for the monitoring. It lays out the monitoring questions and what MWRA should do to answer them. She will provide copies to PIAC.

S. Tucker requested that information on MWRA's proposed fast track changes be provided to PIAC as soon as possible. P. Foley agreed and said that once that information is provided, C. Coniaris and I will schedule a conference call, if needed.

ACTION: A. Rex agreed to provide a list of which monitoring activities answer which questions, and at what cost. She will also provide copies of the 1991 ambient monitoring plan to PIAC. PIAC hopes that out the monitoring review comes an easily understandable explanation of what monitoring will be kept, changed, and/or deleted. PIAC requested that information on MWRA's proposed fast track

changes be provided to PIAC as soon as possible. PIAC may have a conference call once that information is provided.

PUBLIC OUTREACH

PIAC discussed public outreach as it relates to the annual OMSAP public workshop. P. Foley reviewed the extensive public outreach conducted during the last OMSAP public workshop, and the poor public turnout. During the last PIAC conference call, those that participated felt that it was important to have the next OMSAP public workshop presented both in Boston and on Cape Cod. P. Borrelli thought that everyone did a wonderful job during the workshops last year, but the public turnout was poor. B. Berman noted that there were a few newspaper articles that came out of the meetings. P. Foley thinks that the next OMSAP public workshop will give the public the opportunity to comment on the monitoring. P. Borrelli suggested that perhaps there are other ways to reach out to the public, such as editorials and call-in talk shows. B. Berman thinks a call-in radio show would reach the most number of people, with a reasonable cost. P. Foley agreed and also thought an email discussion would also be useful. P. Borrelli suggested distilling the 43 questions into 12 questions that people really care about, for example, “what’s happening to the lobsters?” and “is Boston Harbor cleaner?”. J. Yeo said that if we are trying to attract an audience for a radio program, we have to do it very carefully. We should not go out to try to scare people. P. Foley agreed.

J. Favalaro thinks information to the public is good so that informed decisions about the monitoring can be made. He suggested that if the radio program does not meet the permit requirement, then perhaps a workshop can be piggybacked with another event to help audience-building (e.g. MA Municipal Association). PIAC agreed. P. Borrelli suggested the Fish Forums. S. Genovese said that Northeastern University’s Marine Science Center has periodic forums and open houses in Nahant. The attendance of the forums varies from 20 to 40 people, mostly students and older folks, whereas the open house attracts more people. He also noted that we could publicize along with the annual CoastSweep Week program.

ACTION: PIAC recommends that the next OMSAP public workshop either piggyback with another event to improve attendance, or take on another format, such as a web discussion, or radio call-in program.

ADJOURNED

MEETING HANDOUTS:

- Agenda
- September 2002 OMSAP/PIAC/IAAC membership lists
- July 2002 draft PIAC minutes
- List of incidents and exceedances and changes to the monitoring plan since the permit went into effect in August 2000
- MWRA information briefings and copies of presentations

Summary prepared by C. Coniaris. Post-meeting comments are included in [brackets]. All such comments have been inserted for clarification only. They do not, nor are they intended to, suggest that such insertions were part of the live meeting components and have been expressly set-off so as to avoid such inference.