



## **WSCAC Meeting**

March 2, 2016 at 10:00 AM

Location: John J. Carroll Water Treatment Plant in Marlborough

### Members in Bold in Attendance:

**Whitney Beals, WSCAC Chair, NE Forestry**  
Elie Saroufim, Boston Water & Sewer  
**Martha Morgan, Nashua River Watershed**  
**Paul Lauenstein, NepRWA**  
**Kurt Tramosch, Wayland Wells**  
**Terry Connolly, Town of Ware & Trout Unlimited**

Andrea Donlon, CRWC  
**Gerald Eves, Trout Unlimited**  
**Michael Baram, BU & CLF**  
**Bill Fadden, OARS**  
Martin Pillsbury, MAPC

### Non –Members in Attendance:

Lexi Dewey, WSCAC staff  
Heidi Waugh, WSCAC staff

Andreae Downs, WAC

### WSCAC Business

Whit Beals called the meeting to order and asked members/non-members to provide introductions for the recording. Whit then entertained a motion to approve both the January and February Meeting Summaries as distributed; both of the meeting summaries were approved.

Lexi Dewey provided several updates. The May WSCAC meeting will feature a presentation on WaterSmart software. A representative from the company has been invited, as well as the DPW superintendant from the Town of Sharon where the software has been in use for over a year. The Town of Medford has just begun the process of setting up the software. Lexi commented that WSCAC is fortunate to be able to bring this opportunity to members as well as other interested parties.

### MWRA Water System Redundancy

Lexi discussed the importance of MWRA's Metropolitan Tunnel Redundancy project and reminded members to read the MWRA Staff Summary, "*The Need for Metropolitan Tunnel Redundancy.*" The WSCAC office has emailed each member a copy, and is willing to print and mail copies if necessary. The summary will be referenced repeatedly throughout March, April, and May as a topic at the monthly Board of Directors and Advisory Board meetings. Additionally, the presentation the committee received from MWRA engineer Fred Brandon in November regarding the tunnel project will be posted to the WSCAC website shortly. Lexi informed the committee that at the February Board of Directors meeting, John Carroll asked for an evaluation from an independent panel due to the high cost of the tunnel project. Andreae Downs added that Joe Favaloro of the MWRA Advisory Board pushed back on that idea; he believes the appointment of an independent panel will cause an unnecessary delay. Members briefly discussed the cost and time of the project. Lexi also commented that she is working to recruit an engineer for the committee; an engineer would be helpful in assessing and commenting on a project of this magnitude. With the assistance of Abbie Goodman, the Executive Director of the American Council on Engineering Companies of Massachusetts, Lexi will post a "seeking resumes"

announcement for engineers with a background in water related work next week. She will keep the committee informed of her progress.

William Fadden referenced a map of the water system (with elevations) on the wall at the Carroll WTP. He asked if it would be possible to obtain a smaller version of the map for reference. Lexi will look into the request.

### **MassDEP and the Molybdenum Limit**

Lexi raised the topic of MassDEP's current molybdenum limit and its relationship to the sale of Bay State Fertilizer (produced by NEFCO from Deer Island sludge). Lexi asked each of the members to take a brochure for MWRA's fertilizer pellets and to note what the product contains. Molybdenum is found in the pellets due to its use in commercial building cooling towers. Lexi informed the committee that MassDEP is proposing a higher molybdenum limit to the Water Resources Commission in April. If the proposal is approved, the MWRA will be able to sell the product year-round in Massachusetts. Currently, the MWRA can meet the Molybdenum limit nine months out of the year.

Andreae commented that the cooling towers that use molybdenum as an anticorrosive tend to be flushed out in September/October when the cooling season is over. The flushed material ends up in the wastewater, and therefore in the pellets. Molybdenum is restricted because of its affect on ruminants – cows in particular. She stated that there appears to be no science behind the very low level allowed in Massachusetts and she doesn't know why they chose such a low level. Massachusetts' level is 25 ppm and the EPA's limit is 75 ppm. The next highest level (40 ppm) is in New York. The MWRA Advisory Board has collected the documentation and research that led to the science-driven determination of 45 ppm in NY.

Bill Fadden commented that he considers this topic a WAC issue. Lexi stated that there are water supply related concerns in regard to the phosphorus content. If the product is applied to a slope, rain may cause runoff into ponds or lakes. Andreae acknowledged that phosphorus is a contaminant of concern and it is a problem with the pellets. DAR has begun to write new regulations regarding the phosphorus content in fertilizers. WAC supports the regulations, but believes the limit doesn't consider the fact that the pellets have already been through water; although the phosphorus in the pellets is available to plants, it isn't very water-soluble. Other organizations are urging DAR to reconsider the regulation in respect to pellet fertilizers.

Lexi said she considers this to be a WSCAC issue because MWRA and the Advisory Board recommended the increase to MassDEP. Instead of exploring a greener, cleaner, and cheaper method for the cooling towers, MassDEP has proposed a higher molybdenum limit. WSCAC's mission includes environmental stewardship and a commitment to water quality. Lexi is not convinced that raising the molybdenum limit is necessarily the right route for achieving year-round sale of the pellets in MA.

Whit expressed his opinion that the science-based conclusion in NY must be considered. If the level in MA is not based in science, why should we believe there is any credibility to that number?

Bill added that the EPA limit is 75 ppm and the level of molybdenum in the pellets is less than that. Andreae commented that throughout most of the year, the pellets are under the MA level as well.

Kurt said that as a farmer, he sees a problem. The fertilizer brochure provides average state analysis – it doesn't give the extremes. In the 1970s, Kurt went to a series of hearings held by MassDEP about the land application of sludge from the Metropolitan District Commission (MDC). At the meetings, it was clear that MassDEP was trying to get farmers to take as much sludge as they could on an annual basis. They were particularly targeting container growers because the solution to pollution was dilution. If the sludge could be applied to containers, rather than fields where there would be cumulative limits (lead for example), the product would end up in people's backyards and ultimately be diluted. Kurt added that there is a growing cattle industry in MA and this product has some cumulative issues. If you put this product into agriculture in general, it will end up in the

watershed and it will be a WSCAC issue. Kurt would like to look at this as a WSCAC issue, because the committee has a responsibility to consider cumulative effects in relationship to watershed protection and water quality.

Paul agreed that we don't want to look at just one year – cumulative impact is important. He continued to state that we need to consider where the molybdenum will go if it isn't applied to fields and gardens in this product. What is the least environmentally harmful way to distribute the molybdenum, he asked.

Andreae stated that she would email the committee members information she has regarding the issue.

### **North Reading's Admission to MWRA**

Lexi turned the discussion to the admission of North Reading to the MWRA water system. She attended the presentation in North Reading provided by the consultant, Wright Pierce, and informed members that the Draft Environmental Impact Report (DEIR) will be issued later this month. While North Reading needs more water and there is not an alternative source, their admission to the MWRA will in no way benefit the Ipswich River. North Reading currently receives 60% of their water from Andover, which comes from the Merrimack. Once they receive MWRA, therefore, 60% of the water will not go back into the Ipswich River. Additionally, a majority of their wastewater will be discharged out of basin so there will be no recharge on that front. Lexi continued that there are numerous private wells being drilled; some sources put the number at 595 wells, others say the actual number is closer to 1000. The town does not have a private well bylaw in place and there is a significant amount of outdoor irrigation.

Lexi said she spoke with Wayne Castonguay, Director of the Ipswich River Watershed and his organization is very concerned. He confirmed that there will be little benefit to the Ipswich River from this water and wastewater transfer.

Lexi continued to state that the admission of North Reading to the MWRA is highly likely due to MWRA's proven ability to sell additional water without impacting existing ratepayer communities and the town's lack of alternative sources. She asked the committee to determine which points they wish to raise in response to the DEIR. Lexi believes it is important to note that the transfer of water will not benefit the Ipswich River, and the water currently being allocated to North Reading through their WMA permit could possibly be allocated in the future to another community in need of water in the Ipswich Basin instead. However, Duane LeVangie at MassDEP and he said that wouldn't happen right now because the safe yield for the basin is still too high, even if North Reading stopped pumping their local wells.

Paul asked where North Reading currently gets the other 40% of their water. North Reading has municipal wells with a WMA permit and a registered use amount. Water quality isn't particularly good due to high iron and manganese. Andreae commented that that water would recharge the Ipswich. Whit agreed that the water from the municipal wells/discharge from those aquifers would end up in the Ipswich River. Lexi acknowledged their point and restated that the IRWA does not think the move to MWRA will not provide much benefit due to the amount of wastewater leaving the basin. Paul said that even if the move does not increase the flow of the Ipswich River, it will not decrease the flow either. He asked why the IRWC is concerned. Lexi reiterated that the wastewater will be exported out of the basin, so the potential for recharge will be lost.

Martha Morgan asked if it is likely that private well development will go down once North Reading is admitted to MWRA. Lexi said the belief is that private well development will increase; MWRA water is expensive and it is cheaper to put in an irrigation well. Martha stated that WSCAC's comment letter should stress the importance of a private well bylaw. Paul agreed.

Once the DEIR is released, Lexi will inform the committee about the submission deadline. Whit asked for a clarification from the Ipswich River Watershed Association regarding their position that the move would not benefit the Ipswich River. He would like a better understanding of why replacing municipal well water with

MWRA water wouldn't offer some benefit to the flow of the river. Kurt suggested getting in touch with the Charles River Watershed Organization, as they have done a great deal of research on the Ipswich River.

### **Watershed Mountain Biking Update**

WSCAC submitted a comment letter to DCR Commissioner Roy regarding illegal mountain biking in the Ware River Watershed. WSCAC also hosted a meeting with Senator Anne Gobi at the Blue Meadow Conference Center about the issue in February. Heidi Waugh provided the following updates on the issue:

- There are two active groups advocating for increased mountain biking access in the watersheds: The Friends of the Ware River Watershed and the Quinapoxet Mountain Biking Group
- Each group maintains a Facebook page and posts pictures/comments about DCR DWSP management practices – the discussion has grown from biking to larger concepts about management/access
- Groups are calling forestry practices into question – “where is the common sense?”
- The groups are seeking different media outlets to garner attention and gain support
- The groups describe the issue as purely political

Whit asked what the facts are – has DCR fallen trees to block trails? Lexi replied that yes, they have. The images posted by the groups show the cuts made by DCR. The trail blockings and fine system have not successfully deterred mountain bikers from accessing the watershed. Although the Commissioner sent WSCAC a nice response, the meeting with Senator Gobi was a no-sale. If WSCAC feels strongly about this issue, the committee needs to move forward with a stronger approach. Lexi said she plans to meet with the head of the Appalachian Mountain Club in Boston. The AMC is looking at the impact of mountain biking as well. Lexi thinks the AMC may be a good partner on this issue. She offered ideas to the committee such as a panel on biking at an upcoming WSCAC meeting or sending an editorial piece to the Worcester Telegram & Gazette. She asked the committee to for feedback on how aggressive they want to be in their approach.

Whit said he would exercise caution in respect to going our own way on this issue. Whit believes we should check-in with Jonathan Yeo as a courtesy, and circle back with Steve Estes-Smargiassi. We don't want to go off on our own and end up not helping the cause, he said. Whit does not want WSCAC's actions to create a wedge between the committee and DCR DWSP.

Paul agreed with Whit and thinks that the committee should compose an action plan internally before vetting it with Jonathan and Steve. We want to work as a team on this and we have an important role to play. Paul thinks we need to draft the letter collectively in order to clarify what issues we have with watershed mountain biking. Once it is vetted, Paul believes we should wait for the right time to send the letter to a local newspaper.

Michael stated that the public is presently overwhelmed with many other issues. He doesn't believe this problem will get much attention unless we show evidence of damage to the watershed. He said this is all theoretical to most people. The government doesn't like to get involved unless an issue rises to a certain level of significance. Most people, Michael believes, will think that this is insignificant. He wonders how the committee can get around that barrier. Unless certain things are put in place now, this issue will increase in severity, and what will happen to the water supply?

Kurt replied that if mountain biking in the watershed continues, we can expect: vegetative loss, soil compaction, erosion, muddiness, and the disruption of wildlife. Michael thinks it is important to add in the economic cost of dealing with these problems. Paul added the importance of highlighting that MWRA's filtration waiver is based on the use of the watershed forest as the method of filtration. Rates will increase if the natural filtration system is lost. Andreae stated that WSCAC should position itself as the protector of water quality and water resources, because nobody knows who WSCAC is; WSCAC needs to identify itself as defenders of the best public drinking water in the country. Members agreed with her concept.

Lexi said she will see Jonathan later in the week and will discuss the matter with him then. She will continue to inform the committee and move forward with the open-letter editorial.

### **Watershed Forestry**

Lexi said that the basic discussion point regarding watershed forestry is that there is no independent third party oversight for the program and green certification is not in the works for the near future. The DCR DWSP has not yet completed the Executive Summary called for by the STAC Report. They are still working on compiling all of the land management plans into one document. Two Quabbin foresters have retired. Everything on the forestry front is quiet. Work has begun and there haven't been any complaints. DCR DWSP however, has not put anything in place for certification/oversight, which is what WSCAC requested.

Martha asked if this has anything to do with the lack of staff at DCR. Lexi said she doesn't believe so, as the person responsible for composing the Executive Summary has been with the agency for some time now. As long as there is no public interest in pushing some sort of certification, the agency is not interested in pursuing it. WSCAC has pushed for green certification all along; when the committee said it supported the restart of the program, it was conditional on green certification.

Paul believes we should seek a new WSCAC member that is active and knowledgeable about forestry practices. It would be helpful if the committee had an experienced member to accompany Lexi on forestry tours and analyze the lots/cuts. Paul also thinks WSCAC should invite new foresters to present at an upcoming meeting. The committee would show the foresters that there are people watching and would be able to ask how the foresters intend to translate the plan outlined by STAC into action.

Lexi said that unfortunately, the presentations are not as helpful as they could be. Forestry tours are helpful, but viewing marked lots is the most effective. WSCAC requested public tours of marked lots. Only one tour was offered in New Salem which Lexi and Heidi attended. We now receive a mailing when marked lots are shown to prospective loggers. While WSCAC staff is often able to view forestry operations, little has changed for the general public.

Paul said he thinks each time Lexi plans to attend a tour or showing, she should notify certain people in the forestry community and invite them to join her. He believes this will add a degree of accountability. He believes a lack of transparency feeds the fire of those opposed to watershed forestry.

Whit said he thinks we need to shoot higher and address the DCR Commissioner. It's not that we are DCR DWSP's enemy – we are their advocates. WSCAC needs to advocate for more transparency because without it, the forestry program may get clobbered again. Whit wants WSCAC to draft a letter that will be sent to the Commissioner; he wants the committee to let Jonathan know ahead of time. As an advocate of watershed forestry, Whit believes WSCAC could also be held accountable in the event of an issue. We asked for FSC Certification, public education, and public marked tours of all lots, but these things have not happened.

Lexi said she believes a meeting with the Commissioner regarding the transparency WSCAC asked for would be more effective than a letter at this point in time. Michael suggested WSCAC host a public event in partnership with DCR or MWRA to view lots and discuss the program. Lexi stated that WSCAC offers forestry tours that are also open to the public each June at the year-end meeting. Paul made the point that lot showings should be available to the public every time a lot is proposed for logging, not just once a year in June.

Lexi proposed the idea of WSCAC creating a consumer confidence report for watershed forestry similar to the consumer confidence report issued by the MWRA. Lexi said this report could serve as a public education piece.

Whit said that WSCAC asked DCR to foster public education around the forestry program and he thinks DCR, not WSCAC, needs to create such a document. Paul said he believes the idea is valuable and could be a good

way to get the ball rolling. But he asked, how can we expect the public to have confidence in the program when state officials are refusing to pursue FSC certification?

Kurt stated that he would like to know what other watersheds are doing in terms of forestry certification. He plans to research watersheds in other New England states. He will send his findings to the office.

### **MassDEP Funding and Delegation**

Andreae discussed the possibility of WSCAC and WAC drafting a joint letter to MassDEP regarding their budget and the issue of delegation. Taber Keally, WAC's Chair, proposed this idea at the joint meeting in February. He said that MassDEP continues to lose funding and work on the Neponset River Watershed is being impacted. Volunteers are the only ones collecting water samples and doing water quality work; there is no data from MassDEP. Andreae said that she and Lexi have researched the issue and she believes combining the issues of funding and primacy into one letter is a good move. Andreae continued to discuss the decrease in staff at MassDEP and stated that their budget has been cut 15%-20% over the years (if you account for inflation). Andreae wants to write a letter to Governor Baker and Matthew Beaton that identifies this as bad policy. She believes it needs to be framed as an economic piece that plays into the concept of growing the state's economy. Andreae wants to ask how the state can ask developers to do Best Management Practices (BMPs) for storm water if there is no data to show whether those requirements are effective or not.

Lexi said that this issue has been fast-tracked. The Governor supports primacy, as do many municipalities. She said it would be useful for WSCAC to have a position on transferring primacy from EPA to MassDEP. She mentioned that Julia Blatt of the Massachusetts Rivers Alliance separates the economic/funding piece from the issue of primacy. Lexi believes that this approach makes sense given that inadequate funding for the agency and fewer staff on the water side will remain an issue whether or not NPDES delegation is transferred to MassDEP.

Andreae said that she attended the MA Rivers Alliance meeting on primacy. Her sense from that meeting is that without adequate and assured funding, primacy is a non-starter; you simply cannot do primacy and assure that you will have a quality outcome without adequate funding. Andreae thinks the economic argument has to be central to the discussion of primacy.

Michael asked for a definition of primacy. Andreae responded by saying that the EPA currently issues all permits for wastewater. MassDEP either signs on or off, but EPA is the primary issuer of permits.

Andreae then detailed the pros and cons of the state assuming primacy. She contends that the EPA would issue stricter permits than the state as the EPA does not have relationships with the municipalities that would prompt them to cut deals. MassDEP, however, may have and act on those relationships.

Kurt asked Andreae to explain her point. Andreae responded that if a municipality is polluting the water, the EPA is likely to issue an order. The order can potentially be expensive and tough to implement. The municipality can call Sen. Elizabeth Warren, but she only has a little bit of a relationship with the EPA and a little bit of influence. When it becomes an in-state issue, the municipality could call local representatives with more pull and evade the strictness of the order. Andreae said it comes down to power relationships.

Paul provided a comparative analysis to the SWMI outcome; he believes that the Mass. Municipal Association heavily influenced that decision. Having lived through that process, Paul has very little confidence in the ability and determination of our state authorities to protect the environment. He is much more comfortable with the orders coming from Washington.

Andreae raised the issue of faster permitting – if primacy were with the state, permits will come more quickly, but they will not be as strict. MWRA, for instance, is still waiting for their Deer Island permit. She said this is

one of the pulls for primacy. Local control and the potential for more science-based, watershed specific determinations are additional reasons.

Paul said he is not convinced it would be faster, as the SWMI permits are not being issued quickly. Whit added that waiting for a permit might be better than having fast, shoddy permit being issued. He continued to state that WSCAC's mission and approach has grown broader than water supply to the MWRA. He believes this issue has significant implications for all watersheds and water bodies in the state. In concept, Whit is in favor of drafting a letter that opposes primacy with the state.

Martha Morgan stated that there is a water quality-monitoring summit at MassDEP on Friday. The watershed groups are going to discuss the possibility that MassDEP may be asking them to jump through more hoops in order to get their watershed data accepted. Martha said the groups are concerned that MassDEP will ask them to do more work without providing them with more money to accomplish the work. Martha's group has submitted eight years worth of data to MassDEP, but the agency is so far behind, that they haven't even begun to process it. She said that MassDEP is eight to ten years behind on their own data as well, so they aren't going to look at watershed monitoring data until 2018.

Whit asked if it was possible for EPA to issue conditional primacy to the state. Lexi said she will get more information to send to the committee.

Kurt said the question about funding and incorporating the economic piece in the letter regarding primacy is a bit murky. He asked if EPA funding to watershed organizations for watershed and water quality protection would be jeopardized if the state assumed primacy. Andreae said she didn't think they would be.

Whit asked what Andreae suggests we do next. She said she would do more research. Whit said the sense of the group is that we should be aware and be involved in a written statement. He contends that there are too many risks in supporting primacy with MassDEP.

Bill asked if other organizations were sending out letters. Andreae said that MA Rivers Alliance is issuing a letter on primacy and the Environmental League of Massachusetts is coordinating efforts around funding.

Lexi said she would continue to research the subject of primacy and send her findings to the group.

The meeting was adjourned.