

MASSACHUSETTS WATER RESOURCES AUTHORITY

Meeting of the Board of Directors

November 13, 2024

A meeting of the Massachusetts Water Resources Authority (“MWRA”) Board of Directors was held on November 13, 2024 at the MWRA Administration Facility in Chelsea, and via remote participation.

Vice Chair Pappastergion presided at the MWRA Administration Facility. Board Members Flanagan, Foti, Peña, Taverna and Jack Walsh also participated at the MWRA Administration Facility. Chair Tepper and Board Members Swett, Vitale, Patrick Walsh and Wolowicz participated remotely.

MWRA Executive Director Frederick Laskey; General Counsel Carolyn Francisco Murphy; Chief Operating Officer David Coppes; Director of Finance Thomas Durkin; Director of Administration Michele Gillen; Director of Tunnel Redundancy Kathleen Murtagh; MIS Director Paula Weadick; Program Manager for Planning Michael O’Keefe; Internal Audit Director Claude Cormier; Senior Financial Analyst Sean Cordy; Human Resources Director Wendy Chu; Budget Director Michael Cole; Deputy Deer Island Treatment Plant Director Chad Whiting; Planning and Sustainability Director Stephen Estes-Smargiassi; Senior Program Manager for Western Operations John Gregoire; Waterworks Director Valerie Moran; Deputy Waterworks Director Lisa Bina; Environmental and Regulatory Affairs Director Colleen Rizzi; Chief of Staff Katherine Ronan; Associate General Counsel Angela Atchue; and, Assistant Secretary Kristin MacDougall attended at the Chelsea Administration Facility.

Felicia Bakaj and Ken MacKenzie, DCR, also participated at the Chelsea Administration Facility.

MWRA Deputy Chief Operating Officer Rebecca Weidman and Acting Special Assistant for Affirmative Action Tomeka Cribb participated remotely.

Vandana Rao, EEA; Matt Romero, MWRA Advisory Board; and, John Scannell, DCR, also participated remotely.

Vice Chair Pappastergion called the meeting to order at 1:01pm.

ROLL CALL

MWRA General Counsel Francisco Murphy took roll call of Board Members in attendance and announced that Board Members Swett, Vitale, Patrick Walsh and Wolowicz were participating remotely. The Vice Chair announced that the meeting was being held at the Chelsea Administration Facility and virtually, via a link posted on MWRA’s website. He added that the meeting would be recorded, and that the agenda and meeting materials were available on

MWRA's website.

APPROVAL OF OCTOBER 23, 2024 MINUTES

A motion was duly made and seconded to approve the minutes of the Board of Directors' meeting of October 23, 2024.

Vice Chair Pappastergion asked if there was any discussion or questions from the Board. Hearing none, he requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Flanagan		
		Foti
		Pappastergion
Peña		
Swett		
Taverna		
Vitale		
J. Walsh		
P. Walsh		
Wolowicz		

(ref. I)

REPORT OF THE EXECUTIVE DIRECTOR

Fred Laskey, MWRA Executive Director, noted that Chair Tepper was expected to join the meeting in progress. He then reported that Secretary Tepper had recently declared a Level 3 Critical Drought for the Northeast region of Massachusetts, and a Level 2 Significant Drought for the Western Connecticut River region. He explained that while its water supply remains sufficient, MWRA is urging the public to practice water conservation measures. He advised that the cities of Cambridge and Lynn could potentially request emergency water supply assistance in the near future due to the ongoing drought.

Next, Mr. Laskey distributed the MWRA *Dorchester Tunnel Drilling Incident After Action Review* to the Board, as requested by members during the October 23, 2024 meeting.

Mr. Laskey then discussed the status of the ongoing Quabbin Reservoir Watershed Communities System Expansion Evaluation, and noted that staff planned to meet with representatives of Quabbin-area communities during the week of November 18, 2024.

Finally, Mr. Laskey reminded the Board that Committee meetings would take place at Deer Island on December 11, 2024. (ref. III)

ADMINISTRATION, FINANCE AND AUDITInformationDelegated Authority Report – October 2024

Committee Chair Flanagan invited Board members' questions on the report.

Board Member Pappastergion requested clarification on the delegated authority limit with respect to report Item P-1: *One-Year Purchase Order Contract for the Supply and Delivery of Ferric Chloride*. Douglas Rice, MWRA Procurement Director, explained that this item was within Board-approved delegated authority limits for chemicals purchases.

In response to a question from Board Member Jack Walsh, Paula Weadick, MWRA MIS Director, described the functions the software referenced in report Item P-3: *Sole Source Purchase Order for One Year of Maintenance and Support for the Pretreatment Information Management System* ("PIMS"). Mr. Jack Walsh expressed concern about the use of a sole source contract for such a purchase. Ms. Weadick explained that Item P-3 was a sole source contract because PIMS is customized and enhanced to suit MWRA's distinct operational needs. Mr. Jack Walsh asked if Item P-3 includes maintenance services. Ms. Weadick responded in the affirmative, and described some maintenance deliverables, including troubleshooting, debugging and patches.

There was discussion about potentially conducting market research to identify additional PIMS vendors in the future, during which Ms. Weadick advised that the number of vendors would likely be limited due to the level of customization required. Mr. Jack Walsh expressed concern about the cost of software customization and maintenance through sole source vendors. Michele Gillen, MWRA Director of Administration, acknowledged this concern and explained that software customization and maintenance are common industry practices.

Hearing no further discussion or questions or questions from the Board, Mr. Flanagan moved to the next Information item. (ref. IV A.1)

FY25 First Quarter Orange Notebook

Michael O'Keefe, MWRA Program Manager for Planning, presented highlights of the FY25 First Quarter ("FY25Q1") Orange Notebook. He reported that precipitation levels were below average and noted related reductions in Deer Island Wastewater Treatment Plant ("DITP") flows and power use. He also discussed the impacts of low precipitation on the water system, such as increased transfers from the Quabbin to the Wachusett Reservoir; a reduction in UV-254 treatment for the Wachusett; and a drop in Quabbin Reservoir levels. He advised that MWRA's water system continues to operate within normal range.

Mr. Laskey briefly noted the drought's impacts on the Quinapoxet Dam Removal Project.

Next, Mr. O'Keefe reported that elevated levels of *Chryosphaerella* algae in the Quabbin

Reservoir had resulted in water taste complaints from residents in Chicopee Valley Aqueduct communities during FY25Q1. He noted that the algae did not impact the water's safety. He then described the MWRA/DCR response to the elevated *Chryosphaerella* levels, including more frequent sampling and assessments; taste tests; and, outreach to communities and regulators. He noted that the algae levels decreased sharply in September 2024, and that no further taste complaints have been received.

Mr. O'Keefe next reported that siphon inspections and cleanings were substantially above targets during the FY25Q1, attributable to staff's change in work approach, which included prioritized inspections during the summer months, as well as more frequent inspections and cleanings.

Mr. O'Keefe then discussed total coliform positive results for the water distribution system. He reported a significant decrease in coliform positives during the first quarter of FY25 versus the first quarter of 2024. He explained that the decrease is likely the result of lower than average precipitation that reduced levels of organic matter and increased water demand, which lowered the system's water age.

Next, Mr. O'Keefe presented metrics for renewable energy production at DITP, which fell below targets during FY25Q1, attributable to the reduced availability of certain renewable energy assets due to maintenance; mechanical issues; and, equipment failure. He noted that staff are working to address these issues and described ongoing and planned next steps. Finally, Mr. O'Keefe reported that renewable energy provided approximately 23% of DITP's electricity during FY25Q1, despite reduced power generation.

Board Member Flanagan requested more information about the DITP wind turbine that was taken out of service in June 2023 due to generator failure. Mr. O'Keefe advised that staff expect to replace that turbine, and that feasibility research is underway.

Hearing no further discussion or questions from the Board, Mr. Flanagan moved to the next Information item. (ref. IV A.2)

Internal Audit Department Activities Report – FY2024

Claude Cormier, MWRA Internal Audit Director, discussed MWRA Internal Department ("IAD") activities for FY24. He described the IAD's purview, requirements and goals. He reported that the IAD identified over \$2.9 million in savings and recoveries in FY24.

Next, Mr. Cormier reviewed IAD Contract Audit Program FY24 highlights, including a potential \$2.3 million in cost savings on future change orders as a result of construction labor burden rate reviews; approximately \$293,000 in realized cost savings for Harbor Electric Energy Company (HEEC) Cross-Harbor Cable payments; and a recovery of over \$5,000 as a result of

incurred cost audits.

Mr. Cormier then discussed IAD's Internal Audit and Management Advisory Services FY24 activities, including Accounts Payable controls and procedures; Payroll process controls and procedures; travel expense (mileage) reimbursement; and, MIS asset management. He noted that IAD worked with staff to close seven recommendations, all within 12 months of audit report issuance.

Next, Mr. Cormier explained that IAD staff meets annually with its external auditor, CliftonLarsonAllen ("CLA"), and provides the firm with copies of all MWRA audit reports. He noted that the Accounts Payable and Payroll process reports were of particular interest to CLA; however, CLA offered no feedback or inquiry. Finally, Mr. Cormier briefly introduced and welcomed a new IAD staff member.

Mr. Jack Walsh requested more information about the status of the six Accounts Payable recommendations. Mr. Cormier explained that four of the six recommendations were closed, and two are in process. Mr. Jack Walsh asked if the two open recommendations were accepted. Mr. Cormier responded in the affirmative, noting that MWRA management accepts all audit report recommendations.

Mr. Jack Walsh then requested the status of the Payroll process recommendations, and a time frame for their closure. Mr. Cormier explained that two of the recommendations were closed, with one in process. He noted that the IAD annual Activities Report summarizes progress as of the end of each fiscal year (June 30); that substantial progress has been made on the open recommendations since FY24's close; and that all recommendations bear a commitment to be closed within 12 months of issuance. There was brief, general discussion about a graph in the Staff Summary that did not include completion dates.

Board Member Taverna asked if MWRA audits the overhead rates of consulting engineering companies. Mr. Cormier explained that those rates are audited by third party CPAs. Mr. Taverna asked if the overhead rates are consistent or variable. Mr. Cormier explained that they are variable and can fluctuate year to year. Finally, Mr. Cormier briefly described IAD's overhead rates review process.

Hearing no further discussion or questions from the Board, Mr. Flanagan moved to the next Information item. (rev. IV A.3)

FY25 Financial Update and Summary through October 2024

Thomas Durkin, MWRA Finance Director, provided a summary of financial highlights for October 2024. He reported that the budget is doing well overall, and that prices have stabilized, citing the example of ferric chloride costs, which grew by 1.5%, versus a budgeted 10%

increase. Next, Mr. Durkin advised that underspending for wages and salaries continued due to staffing challenges, and that variable rate trends were volatile, but within manageable boundaries. He reported that the Capital Improvement Program (“CIP”) is progressing well, at 22.9% underspent. Finally, Mr. Durkin reminded Board Members that the CIP is an aspirational document, subject to change due to such factors as weather and adjustments to project scopes.

Hearing no further discussion or questions from the Board, Mr. Flanagan moved to Approvals. (ref. IV A.4)

APPROVALS

Approval of Matthew R. Horan, Fore River Railroad Corporation Proxy

A motion was duly made and seconded that the MWRA Board of Directors, as holder of all voting rights of all the issued and outstanding shares of stock of the Fore River Railroad Corporation, vote to appoint Matthew R. Horan, with the power of substitution, to vote as proxy at the next annual meeting and any special meeting of the stockholders for the Fore River Railroad Corporation in accordance with the form of proxy as presented in the November 13, 2024 Staff Summary and filed with the records of this meeting.

In addition, a motion was duly made and seconded that the MWRA Board of Directors directs the proxy to elect the following board members: David W. Coppes; Thomas J. Durkin; Michele S. Gillen; Frederick A. Laskey; Carolyn M. Francisco Murphy; Brian Peña; Katherine Ronan; John J. Walsh; and, Rebecca Weidman.

Sean Cordy, MWRA Senior Financial Analyst and Assistant Operations Manager for the Fore River Railroad Corporation (“FRRR”), provided background on the FRRR, which MWRA has owned since 1987. He explained that staff sought approval of the above motion, which is presented annually to allow the proxy to appoint the FRRR Board of Directors at its annual meeting. Finally, he explained that the FRRR Board oversees the management of the corporation.

(Board Member Wolowicz temporarily left the meeting during the summary.)

Hearing no discussion or questions from the Board, Vice Chair Pappastergion requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Flanagan		
Foti		
Pappastergion		
Peña		
Swett		
Taverna		

Yes No Abstain

Vitale

J. Walsh

P. Walsh

(ref. IV B.1)

CONTRACT AMENDMENTS/CHANGE ORDERS

Dental Insurance: Delta Dental of Massachusetts, Inc., d/b/a Delta Dental of Massachusetts, Contract A631, Amendment 3

A motion was duly made and seconded to approve Amendment 3 to Contract A631 with Delta Dental of Massachusetts, Inc., d/b/a Delta Dental of Massachusetts, exercising the third option to renew, increasing the contract amount by \$230,000 for a total not-to-exceed amount of \$994,000, and extending the contract term by 12 months from January 1, 2025 to December 31, 2025 for a total contract term of 48 months.

Wendy Chu, MWRA Human Resources Director, discussed a proposed amendment to extend contract A631 with Delta Dental of Massachusetts, Inc. She explained that MWRA offers dental insurance to all non-union employees and a handful of union employees under this contract, which was originally approved by the Board in December 2021. She noted that the contract's CY25 plan rates would remain the same as those for CY24 under the proposed amendment; however, the CY25 contract extension amount will be less than CY24's because staff expect fewer subscribers next year.

(Ms. Wolowicz returned to the meeting during the summary.)

Board Member Peña asked if there would be any benefit changes for CY25. Ms. Chu responded in the negative. Mr. Jack Walsh requested the number of plan subscribers. Ms. Chu reported that there were 141 subscribers in CY24, with 137 projected for CY25. Mr. Jack Walsh asked how many employees are eligible for coverage under the contract. Ms. Chu explained that approximately 70 non-union managers; 10 confidential employees; all members of bargaining units 1 and 6; and, a small number of unit 9 members are eligible.

Mr. Jack Walsh expressed support for the proposed amendment and suggested that staff consider options to provide more benefits and promote increased participation in the plan.

Board Member Foti asked if MWRA management has received any complaints about this dental plan's offerings. Ms. Chu responded in the negative. Mr. Foti then requested the respective plan contributions for employees and MWRA. Ms. Chu explained that contributions are 10% for employees, and 90% for MWRA. There was brief, general discussion about this amendment and the value of the plan.

Citing rising costs, Board Member Vitale requested the amount of dental coverage employees

receive under the plan, and suggested that staff consider increasing coverage for employees. Michael Cole, MWRA Budget Director, relayed that the plan participants receive approximately \$1,550 in coverage annually. Mr. Vitale asked if the coverage amount had increased since the original contract. Mr. Cole responded in the negative. Mr. Vitale reiterated his recommendation to look into increasing the coverage amount. There was brief, general discussion about the contract's terms and costs.

Mr. Flanagan asked if MWRA's dental plans are negotiated. Ms. Chu explained that these plans are contracted through a regular procurement process. She noted that a significant number of bargaining unit staff receive dental benefits through their unions, whose plans are not negotiated by MWRA. In response to a follow-up question from Mr. Flanagan, Ms. Chu explained that MWRA negotiates its contributions to the unions' Health and Welfare Funds.

There was brief discussion about employees' out-of-pocket costs for major dental restorations, and the growing cost of dental care. Mr. Jack Walsh restated his earlier suggestion to consider increasing employee dental benefits. Mr. Laskey acknowledged this recommendation.

Hearing no further discussion or questions from the Board, Vice Chair Pappastergion requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Flanagan		
Foti		
Pappastergion		
Peña		
Swett		
Taverna		
Vitale		
J. Walsh		
P. Walsh		
Wolowicz		

(ref. IV C.1)

WASTEWATER POLICY AND OVERSIGHT

Contract Awards

Three-year Contract for the Supply, Delivery, and Disposal of Regenerated Activated Carbon, Carbon Activated Corporation, Bid WRA-5496, Event 5994

A motion was duly made and seconded to approve the award of purchase order contract WRA-5496, a three-year contract for the supply, delivery, and recycling or disposal of regenerated activated carbon to the lowest responsive bidder, Carbon Activated Corporation, and to authorize the Executive Director, on behalf of the Authority, to execute said purchase

order contract in an amount not to exceed \$1,379,025 for a period of three years, from December 12, 2024 through December 11, 2027.

Chad Whiting, MWRA Deputy Deer Island Treatment Plant Director, noted that this proposed three-year contract directly relates to MWRA's odor control systems. He explained that the DITP Title V air permit requires MWRA to treat all air that is contaminated during the wastewater treatment process. He described the steps for DITP odor control and the Title V air permit limits for hydrogen sulfide and non-methane hydrocarbons.

Next, Mr. Whiting discussed DITP's carbon scrubber units, which collectively contain a total of 700,000 pounds activated carbon for odor control. He explained that 285,000 – 430,000 pounds of activated carbon are replaced within the scrubber units annually, on average.

Mr. Whiting then summarized the proposed purchase order contract with Carbon Activated Corporation and the procurement process, noting that the bid price represents a 13% increase over the current contract. Finally, Mr. Whiting advised that Procurement staff had solicited bids from four potential bidders; however, MWRA received only one bid from the incumbent contractor, largely attributable to the volumes of product required.

Mr. Jack Walsh requested further information about the grade of carbon to be purchased under the proposed contract. Mr. Whiting explained that this contract is for regenerated carbon purchased from China and regenerated in the U.S., and described the regeneration process. There was general discussion with questions and answers about various grades of carbon; how staff determine when carbon scrubber units need to be regenerated; and, the carbon replacement process. There was also brief discussion about DITP emissions testing.

Mr. Jack Walsh asked if some odors that he had noticed while boating on Boston Harbor could be related to the carbon levels in DITP's scrubbers. Mr. Whiting described some potential causes of those odors, such as DITP maintenance activities and wind direction. Mr. Laskey advised that such odors could have been caused by algae.

There was brief, general discussion about the benefits of using regenerated carbon, which is more environmentally-friendly, and just as effective as virgin carbon. Mr. Taverna asked how the regenerated carbon is transported to DITP. Mr. Whiting explained that it is transported by flatbed truck. Mr. Taverna asked if the bid price for the activated carbon is fixed over the life of this contract. Mr. Whiting responded in the affirmative, noting that MWRA has not yet exceeded the activated carbon contracts' estimated quantities.

Hearing no further discussion or questions from the Board, Vice Chair Pappastergion requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Flanagan		
Foti		
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J. Walsh		
P. Walsh		
Wolowicz		

(ref. V A.1)

WATER POLICY AND OVERSIGHT

Information

Update on Lead and Copper Rule Changes – Fall 2024 and Rules Changes

Stephen Estes-Smargiassi, MWRA Director of Planning and Sustainability, presented an update on the latest round of Lead and Copper sampling, and an overview of some recent regulatory changes with respect to the federal Lead and Copper Rule (“LCR”). He presented a graph depicting lead 90% lead levels in MWRA’s fully-supplied communities from June 1992 through September 2024, and reported that results for September 2024 represented an improvement on results for September 2023. He noted that the improvement was likely due to drier weather, which allowed staff to transfer water from the Quabbin Reservoir to the Wachusett, which in turn resulted in lower-than-typical levels of UV254 adsorbance, organic material and reactivity.

Next, Mr. Estes-Smargiassi provided background on the MWRA lead program’s sampling sites, processes and goals, and summarized results for the September 2024 sampling round. He reported that 16 of 595 samples were over the Lead Action Level (“LAL”) and that 15 of these samples were taken at homes with lead service lines. He noted that homes with lead service lines are more likely to have elevated lead levels, and that the test results emphasize MWRA’s efforts to replace all lead service lines within its service area.

Mr. Estes-Smargiassi then explained that the MWRA water system is regulated as a whole, and that its member communities are also regulated as individual entities. He reported that only one MWRA community was over the LAL in the most recent sampling round. He described that municipality’s required response actions, including the issuance of a 24-hour public notice; a public education brochure mailing to all homes in its service area by the end of December 2024; and, continued lead service line replacement.

Mr. Estes-Smargiassi next discussed three regulatory changes that took effect in October and November 2024, including the required submission of a complete service line inventory by October 16, 2024. He reported that all MWRA water communities had met this deadline. He noted that the regulatory changes also require all communities to mail a letter by November 15, 2024 that informs residents and owners of the risks associated with lead to every home with a lead service line; galvanized service line requiring replacement; or, a service line of material that is unknown. He reported that MWRA water service communities had completed this task, and have received significant feedback from residents. He then discussed a third new regulatory change, which requires all community systems in the U.S. to issue 24-hour public notices if they sample over the LAL. He noted that MWRA has been piloting this requirement over the past several years.

Next, Mr. Estes-Smargiassi presented some key aspects of regulatory changes due to take effect after October 2027, under the EPA's Lead and Copper Rule Improvements (LCRI), including the required replacement of all lead service lines in the U.S. within 10 years, regardless of lead sample results; and a LAL reduction from 15 ppb to 10 ppb. He noted that staff expect the reduced LAL to present challenges to some community systems that have tested over 10 ppb in the past several sampling rounds. He advised that the MWRA system could also be at risk of exceedance.

Mr. Estes-Smargiassi then described upcoming new requirements for lead sampling and calculation procedures, and potential compliance challenges. He explained that the LCRI includes a provision that allows water systems that exceed the LAL to defer making changes to corrosion control treatment if they commit to replacing all lead service lines within five years of the exceedance. He noted that staff are strongly encouraging MWRA water service communities to replace all LSLs by the end of 2032 in order to avoid triggering a need to adjust MWRA's corrosion control treatment.

Next, Mr. Estes-Smargiassi presented an update on MWRA's Lead Service Line Replacement Program ("LRP"). He noted that MWRA is offering a 25% grant for communities to fund full replacement of LSLs (including the private sides) at no cost to the consumer. He reported that Revere and Chelsea have already applied for the grant, with disbursements expected in February 2025. He described other ongoing LRP initiatives aimed at accelerating local LSL replacements, including EPA grant assistance, and the identification of State Revolving Fund ("SRF") financial assistance options. Finally, Mr. Estes-Smargiassi shared a photograph tweeted by BWSC to encourage LSL replacement within the City of Boston.

Mr. Peña asked if MWRA could offer incentives to its water service communities in order to encourage the completion of LSL replacements by deadline. Mr. Estes-Smargiassi advised that

staff would take this suggestion under consideration.

Mr. Taverna asked if all communities are required to post their LSL inventories online. Mr. Estes-Smargiassi explained that all U.S. water systems that serve over 50,000 residents are required to post their inventories online, while communities that serve fewer than 50,000 customers are required to make their inventories publicly available. He advised that MWRA encourages all of its water communities to post LSL inventory information online, and cited a number of municipalities that have done so. There was general discussion about posting LSL inventories.

Mr. Vitale requested more information about the water service communities represented in the MWRA sampling data. Mr. Estes-Smargiassi explained that the samples represent 29 fully-supplied cities and towns in the Metro Boston area that are served by the Carroll Water Treatment Plant, as well as Deer Island.

Hearing no further discussion or questions from the Board, Committee Chair Taverna moved to the next Information item. (ref. VI A.1)

Watershed Land Acquisition Program

John Gregoire, MWRA Senior Program Manager for Western Operations, and Felicia Bakaj, DCR Land Acquisition Coordinator, presented an overview of the MWRA/DCR Watershed Land Acquisition Program ("WLA Program"). Mr. Gregoire began the presentation with a history of the program and a summary of its goals and tools, including purchases in Fee (outright property ownership transfer) and Watershed Preservation Restriction ("WPR"), where landowners retain ownership of the land with use prohibitions. He summarized the WLA Program's funding; FY25 Capital Improvement Program ("CIP") budget; spending through October 2024; and MWRA's Payments in Lieu of Taxes ("PILOT") on all Fee acquisitions.

Next, Ms. Bakaj discussed the current status of the Watershed Land Protection program. She noted that DCR currently manages or protects approximately 63% of the land within three watersheds: Quabbin (63%); Ware River (41%); and, 29% Wachusett Reservoir (29%), totaling over 112,000 acres.

Next, Ms. Bakaj reviewed key steps in the land acquisition process, including project cultivation; information gathering; landowner meetings; land acquisition panel ("LAP") review; land acquisition modeling; price negotiation; MWRA Board approval; due diligence; final approvals; and, project tracking and monitoring.

Ms. Bakaj next presented an overview of the WPR Stewardship and Monitoring Program ("WPR Program"), noting that DCR holds 158 WPRs over 9,300 acres across the Quabbin, Ware River and Wachusett watersheds. She summarized the WPR Program's main objectives, including

documentation of baseline conditions; routine monitoring; violation resolution; and, maintenance of landowner relationships. She noted that frequent communication with WPR landowners is key to the WLA Program because it supports restriction compliance and environmental stewardship.

Ms. Bakaj then presented an example of a Story Map, which is a visual tool that is typically presented to the LAP for every proposed acquisition, and described what such includes (e.g., locus map; parcel overview with cost estimate; water resources assessment, Watershed Protection Act ("WsPA") jurisdiction status, tributaries, and zoning; natural resources; and, parcel connectivity).

Next, Mr. Gregoire discussed WLA Program modelling, noting that modeling is a key driver in the land acquisition process. He presented an example of a WLA model that was developed in the mid-1990s. He summarized the model's weighted criteria, including slope; zoning; sewer systems; aquifers and WsPA regulation status. He also described how sub basins are prioritized by proximity to water resources. Finally, Mr. Gregoire presented a more recent model of the Worcester Basin of the Wachusett Watershed, and discussed how the WLA models have been updated over time.

(Chair Tepper joined the meeting during the presentation.)

Mr. Taverna requested more information about how staff perform site investigations. Mr. Gregoire described some tools for environmental site assessments such as follow-up surveys; soil sampling; test pits; records evaluations; sampling; and, discussions with local fire departments to determine the use of firefighting foam. Ms. Bakaj added that all properties to be acquired in Fee undergo thorough site assessments, and briefly described the process, including walkthroughs and follow-up testing. She stressed that only properties with clean environmental assessments or approved remediation are eligible for acquisition.

There was brief, general discussion about third-party contractors that assist with the site assessments, and Mr. Gregoire highlighted the value of DCR staff's familiarity with the watershed lands.

Mr. Taverna asked if an existing dam would impact the value of a potential land acquisition. Mr. Gregoire explained that the WLA policy excludes Fee purchases of properties with dams, dykes, and impoundments due to potential liability.

Mr. Flanagan requested more information about landowners' allowed uses under WPRs. Ms. Bakaj explained that WPRs allow forest management, noting that conversion from a forest to a field is prohibited. She further explained that WPRs also allow recreation on the properties.

Mr. Laskey commended MWRA and DCR staff for working cooperatively and professionally on the WLA Program, and noted that the protected watershed land is a legacy that will be passed on to future generations.

Mr. Peña asked to what extent staff audit compliance with WPR provisions. Mr. Gregoire explained that DCR staff perform regular inspections. Ms. Bakaj confirmed that WPR properties are inspected every two years, or more frequently to address any compliance concerns, and ground inspections are supplemented by aerial monitoring.

Board members complimented staff on their presentation and work on the WLA Program.

Vice Chair Pappastergion welcomed Chair Tepper to the meeting, which she joined during staff's presentation. Secretary Tepper requested that Mr. Pappastergion continue to serve as Chair for the meeting in progress.

Hearing no further discussion or questions from the Board, Mr. Taverna moved to the next Information item. (ref. VI A.2)

Community Water Interconnections

Staff presented an update on MWRA community water interconnections. Valerie Moran, MWRA Waterworks Director, explained that water interconnections between neighboring communities provide mutual benefits and operational flexibility. She noted that interconnections are encouraged between neighboring public water supplies to help maintain water capacity to meet provisions of the federal Safe Drinking Water Act.

Ms. Moran described some common events and activities in which water interconnections are used, including droughts; water main breaks; water quality concerns; treatment plant isolations; construction; and, routine maintenance. She presented a map of the MWRA's Metro Boston and MetroWest water communities, and highlighted three community categories: full-served; partially-supplied; and emergency use.

Ms. Moran then reported that MWRA's member communities have over 300 interconnections with their neighbors, including 26 known connections with non-member communities. She noted that MWRA connects to member water communities for emergencies and maintenance activities through metered connections, and maintains approximately 100 non-metered interconnections, including five with non-MWRA communities. She also presented a map of MWRA's Chicopee Valley Aqueduct water member communities, and their interconnected neighbors.

Next, in response to questions raised at the August, 2024 Board of Directors' meeting, Ms. Moran reported that MWRA has supplied emergency water to five non-member communities

over the past ten years, either by direct connection or via interconnections with member communities, and described the circumstances for each. She also presented examples of the uses of MWRA interconnections for water quality concerns, and during droughts and maintenance activities.

Lisa Bina, MWRA Deputy Waterworks Director, then discussed ways that MWRA benefits from community emergency interconnections. She explained that interconnections provide flexibility and allow MWRA to perform maintenance in areas where the water system lacks redundancy. She highlighted examples of emergency interconnections to supply pumps at MWRA's Fore River Pellet Plant and Braintree-Weymouth Pump Station during a water main break; and to maintain water supplies for portions of Winchester while MWRA performed valve replacement work in Arlington. She also discussed the importance of understanding and monitoring the hydraulics of all water systems involved before opening an interconnection. Finally, Ms. Bina discussed how MWRA plans to use interconnections between two MWRA communities during the repair of a WASM 3 water main leak in Waltham.

Mr. Jack Walsh asked if connections to water non-member communities are hard piped, and if they have check valves. Ms. Moran relayed that they are hard piped, and that most do not have check valves. She explained that staff are installing two valves at these connections, of which one will be controlled by MWRA, and the second by the community. There was general discussion about how the valves are controlled, and the high value of community interconnections.

There was also discussion about how communities with MWRA emergency water interconnections are billed for water use, with no standby fee, due to a unanimous vote of the MWRA Advisory Board membership that took place approximately ten years ago. During this discussion, Mr. Durkin explained that communities pay a 10% surcharge for emergency water use, and that an escalating, additional asset value charge is added at each additional instance. Mr. Jack Walsh suggested that staff consider increasing the surcharge amount.

Mr. Flanagan asked if MWRA could refuse a community's emergency request for water if such a request would negatively impact MWRA's customers. David Coppes, MWRA Chief Operating Officer, responded in the affirmative. He explained that community interconnections are a universal practice among U.S. water systems that is recommended by regulators, and mutually beneficial to all parties. He noted that MWRA strongly promotes community interconnections. There was general discussion about the benefits of water system interconnections, and the reasons for the 10% MWRA surcharge. Finally, Matt Romero, MWRA Advisory Board Executive Director, confirmed that the Advisory Board membership had voted down a proposed standby fee.

Hearing no further discussion or questions from the Board, Mr. Taverna moved to Approvals. (ref. VI A.3)

Approvals

Revised MWRA Operating Policy OP.05 Emergency Water Supply Withdrawals

A motion was duly made and seconded to approve the following revisions to MWRA Operating Policy OP.05 *Emergency Water Supply Withdrawals*, substantially in the form presented in the November 13, 2024 Staff Summary and filed with the records of this meeting: (i) an increase to the “short-term” withdrawal duration from 30 days to 60 days; (ii) an authorization of the Deputy Chief Operating Officer to approve the short-term emergency use of MWRA water; and (iii) other conforming nonsubstantive policy refinements recommended by staff.

Colleen Rizzi, MWRA Environmental and Regulatory Affairs Director, discussed proposed revisions to MWRA Operating Policy OP.05 *Emergency Water Supply Withdrawals*, which was last updated in 2007 and governs the process for non-member water system communities to withdraw water from the MWRA system on an emergency basis. She noted that staff proposed two key changes to the policy, and some non-substantive refinements, all of which were presented to and approved by the MWRA Advisory Board and its Executive Committee.

Ms. Rizzi described the two key changes: increasing the short-term withdrawal duration from 30 days to 60 days; and, authorizing MWRA’s Deputy Chief Operating Officer to approve short-term withdrawals. She explained that emergency withdrawals over 30 calendar days require Board approval, and that staff typically request such approvals for durations of up to six months. She added that withdrawal periods that exceed six months require approval from the both the Board of Directors and the Advisory Board.

Ms. Rizzi then noted that staff’s request to extend the short-term withdrawal duration to 60 days was prompted by a July 2024 emergency withdrawal request from the Town of Wayland. She explained that a special August Board meeting was required to approve a time extension because the Town was unable to complete work to restore its water system within the 30-day limit. She advised that in staff’s view, extending the short-term withdrawal duration to 60 days would make the approval process more efficient, and help to avoid convening special meetings. Finally, Ms. Rizzi relayed that staff also sought Board approval to authorize the Deputy Chief Operating Officer to approve short-term withdrawals.

(Ms. Wolowicz left the meeting during the summary.)

With respect to Attachment A to the Staff Summary (*MWRA Charges for Emergency Water Withdrawals - OP.05*), there was general discussion with questions and answers about the

definitions of “short-term” and “up to six-month” withdrawal periods. There was also discussion about the charges and administrative processes for Emergency Supply Agreement Periods One through Seven, and staff’s request to increase the duration of short-term withdrawals from 30 days to 60 days.

Mr. Foti requested clarification on the proposed OP-05 requirement that Emergency Water Supply Withdrawal applicants provide MWRA with long-term plans for changes to their water treatment. Ms. Rizzi explained that requirement would apply in such cases as positive PFAS test results. She noted that this requirement is intended to encourage communities to implement lasting water quality measures versus requesting repeated emergency withdrawals.

Hearing no further discussion or questions from the Board, Vice Chair Pappastergion requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Flanagan		
Foti		
Pappastergion		
Peña		
Swett		
Taverna		
Vitale		
J. Walsh		
P. Walsh		

(ref. VI B.1)

PERSONNEL AND COMPENSATION

Approvals

November 2024 PCR Amendments

A motion was duly made and seconded to approve amendments to the Position Control Register (PCR) as presented and filed with the records of this meeting.

Ms. Chu invited Board Members’ questions on the PCR Amendments for November.

Hearing no discussion or questions from the Board, Vice Chair Pappastergion requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Flanagan		

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
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Foti		
Pappastergion		
Peña		
Swett		
Taverna		
Vitale		
J. Walsh		
P. Walsh		

(ref. VII A.2)

FY25 and FY26 Non-Union Compensation and Amendment of Employment Contract of the Director of the Tunnel Redundancy Program

A motion was duly made and seconded that the Board of Directors take the following actions relative to the MWRA's FY25 and FY26 non-union compensation review: authorize the Executive Director to implement a 3% across-the-board compensation adjustment for eligible non-union managers effective the first full pay period in January 2025 and a 2% across-the-board compensation adjustment for eligible non-union managers effective the first full pay period in FY26; and, approve a revision to the non-union salary ranges for FY25 and FY26 as presented in Attachment A of the November 13, 2024 Staff Summary and filed with the records of the meeting.

Further, a motion was duly made and seconded that the Board of Directors authorize the Executive Director to implement a 3% adjustment effective the first full pay period in January 2025 and a 2% adjustment effective the first full pay period in FY26 of the salary of Kathleen M. Murtagh, Director of the Tunnel Redundancy Program, consistent with other non-union managers.

Committee Vice Chair Jack Walsh asked if there was any discussion or questions from the Board. Hearing none, he requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
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Tepper		
Flanagan		
Foti		
Pappastergion		
Peña		
Swett		

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Taverna		
Vitale		
J. Walsh		
P. Walsh		

Mr. Laskey thanked Board Members for their support of the compensation adjustments, and praised MWRA's non-union managers and Ms. Murtagh for their professionalism, hard work and dedication.

Mr. Pappastergion echoed Mr. Laskey's remarks, thanked managers and noted an upcoming compensation study.

Mr. Foti requested more information about performance assessments for non-union managers. Mr. Laskey explained that performance assessments are scheduled to take place every two years. Mr. Foti asked if that same schedule applied to union employees. Michele Gillen, Director of Administration, advised that the same schedule currently applies to members of Bargaining Units 1, 6 and 9. (ref. VII A.2)

CORRESPONDENCE TO THE BOARD

There was no correspondence to the Board. (ref. VIII)

ADJOURNMENT

A motion was duly made and seconded to adjourn the meeting.

Hearing no further discussion or questions from the Board, Chair Tepper requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Flanagan		
Foti		
Peña		
Swett		
Taverna		
Vitale		
J. Walsh		
P. Walsh		

The meeting adjourned at 3:04pm.

Approved: December 11, 2024

Attest:

Kristin MacDonnell

for

Brian Peña, Secretary

LIST OF DOCUMENTS AND EXHIBITS USED

- Draft Minutes of the October 23, 2024 MWRA Board of Directors' Meeting (ref. I)
- Handout: Dorchester Tunnel Drilling Incident After Action Review (ref. III)
- November 13, 2024 Staff Summary – Delegated Authority Report (ref. IV A.1)
- November 13, 2024 Staff Summary and Presentation– FY25 First Quarter Orange Notebook (ref. IV A.2)
- November 13, 2024 Staff Summary – Internal Audit Department Activities Report – FY2024 (ref. IV A.3)
- November 13, 2024 Staff Summary – FY25 Financial Update and Summary through October 2024 (ref. IV A.3)
- November 13, 2024 Staff Summary – Appointment of Matthew R. Horan, Fore River Railroad Corporation Proxy (ref. IV B.1)
- November 13, 2024 Staff Summary – Dental Insurance: Delta Dental of Massachusetts, Inc., d/b/a Delta Dental of Massachusetts, Contract A631, Amendment 3 (ref. IV C.1)
- November 13, 2024 Staff Summary – Three-year Contract for the Supply, Delivery, and Disposal of Regenerated Activated Carbon, Carbon Activated Corporation, Bid WRA-5496, Event 5994 (ref. V A.1)
- November 13, 2024 Staff Summary and Presentation – Update on Lead and Copper Rule Compliance – Fall 2024 and Rules Changes (ref. VI A.1)
- November 13, 2024 Staff Summary and Presentation – Watershed Land Acquisition Program (ref. VI A.2)
- November 13, 2024 Staff Summary and Presentation – Community Water Interconnections (rev. VI A.3)
- November 13, 2024 Staff Summary - Revised MWRA Operating Policy OP.05 Emergency Water Supply Withdrawals (ref. VI B.1)
- November 13, 2024 Staff Summary – November 2024 PCR Amendments (ref. VII A.1)
- November 13, 2024 Staff Summary – FY25 and FY26 Non-Union Compensation and Amendment of Employment Contract of the Director of the Tunnel Redundancy Program (ref. VII A.2)