

## Mystic River Watershed Steering Committee Report June 12<sup>th</sup>, 2013 at EPA Region 1 Office

### **Agreement Points:**

- Meeting minutes from March Steering Committee meeting finalized
- September meeting will focus on casino proposals and how they involve environmental factors.

### **Follow-Up Actions:**

- MyRWA to prepare letter to Gaming Commission that outlines Steering Committee areas of concern and encouraging Gaming Commission to consider environmental factors in their decision making. Letter to be send ASAP (July)
- WQ Subcommittee agreed that Patrick will re-share sediment mapping and the group will continue the dialogue to identify where to go with the technical aspects of the sediment question. The WQ Subcommittee needs direction on the Steering Committee can and wants to do there.
- Municipal subcommittee can hold a discussion about how they might spend CDBG funds, what the criteria are, and what their plans are. Ernie (HUD) will join a special call/meeting on this topic.
- A municipal meeting in the fall/winter is timely for discussing the next round of HUD Block grants.
- Steering Committee will consider a public meeting to discuss environmental importance of the casino developments.

### **Announcements**

Walking Route: New walking route to the river opened in Medford, called “over the Mystic”

MyRWA Herring Count: Over 100 volunteers are counting herrings. Herring migration appears strong. Full report should be done in July.

Sullivan Square Study Group: Meeting assigned in later June. They want a tour on the pathways. Ivey took some on a tour starting at Tufts boathouse down to Station Landing and through Assembly Sq. in Charlestown, etc.

EPA/MassDEP: The U.S. Environmental Protection Agency (EPA) and Massachusetts Department of Environmental Protection (MassDEP) are preparing to reissue National Pollutant Discharge Elimination System (NPDES) permits for seven bulk petroleum storage facilities located along the Chelsea River. These permits, which will replace those issued in 2005-2006, limit water pollution from the seven facilities by regulating both storm water runoff and non-storm water discharges to the creek.

In preparation of the reissuance of these draft permits, EPA will be holding an informational meeting to provide an overview of EPA’s NPDES Program, describe how these facilities operate, discuss the environmental justice analysis of the draft permits for these facilities that EPA will conduct, and explain how the public can become involved in the permitting process.

The meeting will take place at Chelsea Collaborative on June 24, 2013 from 6:00 - 8:30 p.m. at 318 Broadway, Chelsea, MA 02150. EPA encourages public participation in this process.

To learn more about the current NPDES permits for the seven bulk petroleum storage facilities as they were issued in 2005-2006, please visit:

<http://www.epa.gov/region1/npdes/chelseacreekfuelterminals/index.html>

### **Steering Committee Business**

- Meeting minutes from March 2013 passed around and approved

### **Steering Committee Subcommittee Reports**

#### **Water Quality:**

- Need to prioritize and evaluate improvements.
- TMDL Discussion
  - USGS work became basis for understanding nutrient loadings for the Charles. It laid some groundwork for a TMDL. This was done as a jointly funded venture by a number of entities – EPA, DEP, MWRA, USGS. Does it make sense on the Mystic to do something like that? The subcommittee held a conference call with Mark Voorhees at EPA. There was some discussion about what kind of work could be applicable to Mystic without repeating the work. This is a long-term project. Not sure what the scope might be. Mark stressed that the Charles scoping process was strenuous and took time to hammer out. There have been some studies since then that tell us some information obtained about nutrients based on land-uses and so these data might be applicable to the Mystic. This is the beginning of a process. Firstly, the Mystic needs flow monitoring. Patrick is active, working with USGS looking at locations where it might be appropriate to get better flow data. Flow gauges currently exist at the Alewife Brook and the Aberjona, but it might make sense to add one to three more locations throughout the watershed for flow monitoring. If only one could be added, it makes sense to put it at Blessing of the Bay. A second option would be in the Malden R. and a third is downstream of the Mystic lakes. Good flow data would help to set up modeling and might lead to options for flooding models, etc.
- There are no USGS matching funds available in 2014, but there might be funds avail in 2015. Cost for instrumentation per site is \$24k, then \$16k/year thereafter to maintain the site. These discussions are preliminary. Might be useful for laying groundwork for future actions. The Steering Committee was very interested in this topic.
- There is still continuous concern about SSOs, CSOs, and stormwater. When EPA issues the MS4 permit, there will be heightened interest in the water quality subcommittee priorities related to municipalities and the permit.
- Ivey – what is the output of flow gauging?
  - Get a better understanding of the pollutant loading and sources in the watershed. Get more input into the model that would be built. Get better understanding of some of the flooding issues.
  - Would be necessary if folks want to get into a TMDL? We'd need to engage the state.

- Phosphorus is a major concern and one of the major issues in the main stem is invasive plant growth and the concern there is that there is P in the sediments, too. MyRWA's interest in a TMDL is partially driven by this.
- From a regulatory perspective, it will be interesting to see the difference in the stormwater permits. The Charles has a TMDL and so it will be helpful to see how useful that is in the Charles.
- A TMDL allows you to deploy resources effectively. Is there an additional regulatory overlays to make the TMDL useful. Municipalities in the Charles will be working diligently.
- Deployment of resources and is critical to for funding, should we get the resources required.
- How can we engage the universities on the TMDL question. Monitoring is the most expensive part to deploy and then analyze data.
- Need high level of expertise in monitoring. There have been many people identified who have high level of interest – one of which at Tufts. It is a process that the universities might take a lot of interest in. Might be need for “all hands on deck.” A lot of wet weather monitoring, etc. There may be ways to engage folks at the grassroots level. There are modeling experts in the area, with whom MyRWA is already engaging.
- Could universities put in grant requests to deploy instruments and do research to support this effort?
- On sediment issue – Lynne and Caitlyn had a discussion with Gene B's who gave some thoughts and advice on the Malden issues. A citizen group is in the early stages of formation. There is a lot of interest in forming the group, and there are various proposals for funding that are on the table, but they are hoping to get some staff to get the group of citizens involved. The group is interested in sediment issues and bacteria issues. They want to know when WQ is bad and when the water can be used for recreation. They are interested in the cross-over with open space. How to make it an amenity so public can use the water more. Tri-CAP has pursued some funding to keep the citizens group going. We can see how the group might gel and how it might cross into the Steering Committee and MyRWA. They are not quite ready to integrate with us. There is a lot of interest, but funding remains an issue. A lot of this emerged from Tufts WSS – did a group project. Used the Chelsea Collab as a model. Did a good job getting it underway. Tri-CAP is following on. Need for funding. WSS hoping to do another practicum in the fall. Rusty is participating in the Malden R. Steering Committee to keep momentum going. Has participation from 10-20 citizens. There will be some meetings in the next month or so. Tufts is seeking grant money to fund a Malden practicum that supports the work that Gene and EK are doing.
- In addition to the citizen activism there is a need to dig into the data. WQ subcommittee has had a hard time wrapping arms around this issue. We've agreed for Patrick to re-share the mapping, and continue the dialogue to see where we go with the technical aspects of this. Subcommittee needs direction on what group can and wants to do there. Need to regroup with WQ group about what to do with sediment issue. Malden is working on some issues in the upper stretches.

### Open Space:

- Draw 7 – GW Somerville is coming to the close of their Draw 7 project. There were 3 charettes. The last one was well-attended (DCR was there). Joan is reviewing their final report and will be submitted to DCR. Many people do not know where Draw 7 park is. Assembly Sq. development is moving forward rapidly. There are signs now. There is a walking route to the river component. Did do a walk from Sullivan Sta. The road is significantly improved and now it is a very walkable place. Safety and lighting need to be improved.
- GE site – Parcel remains in private ownership. Its development will impact waterfront on the Malden R. Not much progress has been made in speaking with the developers. Energy has been shifted to working with City of Everett on a waterfront harbor plan. Under Ch. 91 – municipal initiative. The harbor plan does not include the GE parcel. Activity on this parcel is dramatically affecting all these parcels on the Mystic – engagement of the waterfront and waterfront activity. Harbor planning area runs from Rt. 99 – Malden R. on the mainstem of the Mystic and as far back as Rt. 16.
- Monsanto – proposed site of the Wynn Casino development.

### **Topics of Importance**

#### Urban Waters Federal Partnership

- EPA announced the Federal Partnership in March 2013. It is a collaborative way of connecting the federal family and bringing federal partners into the work we are doing in the Mystic River Watershed. Our partners are HUD, FEMA, USGS, USFS, and the Army Corps of Engineers. We wanted to introduce the partners to the Steering Committee, so they've been invited to the meeting to talk about the work they do and how that work might coincide with work we are doing on the Steering Committee. You can find more information about the Urban Waters Federal Partnership at [www.urbanwaters.gov](http://www.urbanwaters.gov).
- Overview of Mission and Priorities/History given
  - Steering Committee grew out of Summit in 2008. It was created to provide equal seating at the table for government/quasi-government agencies and community groups. The Committee works to improve water quality and increase public access to open space through several subcommittees: water quality, open space, science, municipal, and business. For more information see [www.epa.gov/mysticriver](http://www.epa.gov/mysticriver)
- Introduction of Partners:
  - United States Geological Survey (USGS) – Chris Waldron
    - trying to figure out what the needs are and are at a point now. Have a proposal in with MyRWA for a set of gauges to get a handle on stream flows in the river. Chris was on the recon field trip and one of the things that is surprising is that USGS maintains 18 gauges in the Charles. 6 are on the mainstem. In the Mystic, there are 2, with none on the mainstem. Have a stage monitor at the Amelia Earhart Dam. Became clear that streamflow monitoring is needed and how USGS can fit in. It is a

challenge because of the dam and tidal influence. It is hard to get good stream flow data, but you need that kind of data in order to understand WQ. USGS is committed to that concept and to working with the Steering Committee to get that information. Will need it for modeling and regulatory work. In addition, had a major role about 10 years ago looking at the lower Charles. Then, compared loads of contaminants from upper part of the river to what was coming in from lower Charles sources. Data were utilized for TMDL development for lower Charles. Still using the data from that study. Modeling study done for Cambridge to see impact of street sweeping to control runoff of P into lower Charles. With data from more stations, could get a better picture of stream flow. Two stations already – one in the Aberjona and one at Alewife Brook. USGS is prepared to go ahead. Model is different in that from federal partners. USGS doesn't have a budget to apply to projects. They need to partner with other funding sources. There is a state/federal cooperative water program. Foresee some matching funds being freed up after 2014. There are a lot of partners in the Charles. University wasn't a partner. USGS has worked with Tufts on some sediment studies. USGS is in Northboro.

○ Housing and Urban Development (HUD) – Ernie Zupancic

- Overview: HUD is involved in sustainable communities. Most of HUD's budget is committed to partners – cities and states and housing authorities and private housing developments. In the regional office, the money is administered. There aren't really projects/discretionary funding.
- The most likely area that Steering Committee would be interested in is **Community Development block grant (CDBG)**. HUD gives funds to entitlement cities – Arlington, Boston, Cambridge, Malden, Medford, Revere, Somerville. They get grants every year to use for a wide-range of comm. devel. Projects. They can use them for open space. They are still being funded, even with the cut backs. They can choose what to do with the funds. The big issue with these grants is the requirement that it benefit low and moderate income people. If Steering Committee identifies a site in one of the communities, HUD can suggest to them how to use their funds/get things onto their agenda. They can spend 15% on services (B&G clubs). A lot goes on housing improvements, can also spend it on anything else – sidewalks, etc.
  - HUD grant can be used on state owned land (for example, DCR riverfront property)
  - Can the municipal subcommittee have a discussion about how to spend CDBG funds, or what the criteria are, what their plans are. We could get some priorities on the table. We could have a special call/meeting and have Ernie join us.
  - In non-entitlement communities, HUD makes a grant to the state (Dept Housing Community Development) and the state then has a competition to make grants to communities (Chelsea/Everett). Any community can conceivably get a grant from the state through this program. DHCD puts out an RFP every year.

- Sustainable Communities Grants – Got funding for two years. MAPC received a grant and then did mini-grants to communities. Grant to City of Somerville to do planning around the green line extension. This was not funded in 2012 or 2013. There's a request for funding for this program in 2014. Not sure if it'll be funded or not.
  - We could have a report out from these grantees at a future meeting.
- Affordable Housing – most of HUD's money goes into affordable housing. A certain amount goes to operating expenses. If there's a HUD supported project along the watershed, we can talk about whether we can try to devote some of HUD's funds into fixing problems. Public housing money goes to Housing Authorities. Mayors appt the boards. Privately owned multi-family housing is owned by individual agencies. Some programs started decades ago and were set up – sometimes non-profit and sometimes for-profit.
  - MyRWA has worked with public housing authorities to talk about green infrastructure.
  - Tenants pay 30% of income to rent. Most of the operating funds come from HUD operating subsidy. Then maintaining the landscaping. Then there are funds available for capital expenses. These properties are 60-70 years old and have seen heavy use. They typically need to keep those buildings up to standard. We could talk to them about what they can do.
- Block grants are out right now from last year. They are set up in a way that they do the planning in the winter/spring, hearings in the spring and in the early summer things start. A municipal meeting in the fall/winter would be timely
- United States Forest Service (USFS) (John Parry and Sheela Johnson)
  - There are three main branches – National Forest System (200 sites nationwide), Research (offices in northeast, there's someone at UMass), State and Private Forestry (80% of forest land is privately owned) – works with these owners to assist them in managing those forests. Office in Durham, NH there are 20 or so people. Urban Forestry is one of 10 programs there. Also a watershed forester, and forest health, conservation ed, forest management, legacy (looking at large rural tracts and purchasing easements). There could be links with some of their other programs – grants available. Forest health has a grant program to manage invasives. There might be opportunities.
  - Stormwater/WQ is something they focus on. Their mission is to protect and increase the extent and quality of trees in urban areas and identifying where they can provide the most environmental benefit. They work very closely with the state agencies (DCR). The states have urban forestry coordinators (Eric Seaborn at DCR) – technical assistance and mini grants. Provide technical assistance – urban forest coalition in Boston. Did a tree

inventory of public trees in Boston, provided tech assist and aerial photography. Were able to do an analysis for tree cover. Boston has 29% canopy cover. Group worked with mayor to get that up to 35% canopy cover. Promote tree inventories and assessments. iTree software to do inventories of trees. The analysis ability – can download the data and do some cost/benefit analysis about what the trees are providing for environmental services. Software is free and they do training. Do grants (small) – Core grants to state partners to run similar programs (\$500k) – DCR. USFS grant programs (CARP) community allocation request for proposals. Deadline in early December. Broad in what kinds of issues can be applied for. Usually ties to trees and forests. Fund a lot of water related grants – NYC funding tree pits. Trees for Tribes project in NY – urban fringe and did some re-planting to manage stormwater. Most of documents are online. WQ grants -- \$500k total and open to 20 states. Hope to award 5 grants, no set maximum. Would be roughly \$100k each. Needs a tie in to trees and forests. Often look for transferrable ideas and techniques.

- Sheila Johnson – Do outreach and signage. Could help with visitor education. Urban connections – partnered with him and school groups on Rose Kennedy to come up to White Mtns for a week and learn about forest management to fit into work here. They bring in groups from elementary to college interns.
- Army Corps of Engineers (ACoE) Dave Larsen
  - Currently one project on the watershed – oxbow area in the Malden. Usually projects have to do with navigation, flood risk reduction, ecosystem restoration. Involved in ecosystem restoration projects – restoring habitat. Emphasis not on WQ, but can do work that involves WQ. Have done projects with dam removal or modifications to channels to improve habitat. Done fish passage projects – ladders/bypasses. All projects involve cost-sharing. Phase I – feasibility. First \$100k is 100% federal. After that is 50% federal and 50% non-federal. Then design phase II (cost share is 25 or 50%). If need real estate, then the value is credited to the non-fed share. Non-fed gets credit for project management and sponsors can provide working time to provide the share. Cost and limits to authorities is usually in the \$5M federal range. So up to \$7.5M total project cost. Above that needs Congressional Authorization. In Mystic, could do projects to restore habitat. Phase III - construction/monitoring.
    - What is the best way to initiate dialogue with the Corps?
      - Best thing is to call Larry – 978-318-8347 and discuss request before formally requesting. Sponsor can send in a request letter and ACoE will send out a response. Generally not sure if they can start out new projects. The whole process starts with a letter. There isn't a formal agreement until the first \$100k of federal money is spent.

- There is a history of work in the Malden and a strong nexus with the WQ group and work in the Malden. Match is an issue. ACoE likes to go into projects with an understanding that they'll be finished.
- The idea of Living Islands is still an open question. There is a possibility, given the contaminated sediments and water levels. Still being weighted against using fill material to restore wetlands. No final decisions yet.

### Update on Medford Street Oil Spill

- Review: Tanker truck rolled over and dropped entire load into the catch basins and into the river.
  - It is amazing how well the emergency response unfolded. There was immediate and expert response by Town of Arlington and MassDEP. Got the booms and containment materials out. It was contained within 0.5 mile of the river – got a lot of volatilization. All but about 400 gallons was accounted for and cleaned up. Next step will be further assessment. Pushing to make sure resources are applied to identify short and long-term impacts. Saturday meeting in west Medford was well-attended. Emergency response is wrapped up. On to assessment and where to go next.
  - Spill site in the Arlington/Medford. Just beyond the Route-60 bridge. Boom will be reconfigured to allow for boat traffic and keep shoreline areas confined.
  - Preliminary water testing results showed almost nothing. A long-term take away, the turnout was overflowing. People of the area do care about the river.
  - It was a JP Noonan tanker and they are paying Clean Harbors for the clean-up.

### New Business

- Casinos
  - September Meeting Plans
  - Two major development projects in the watershed -- \$1B proposal in Suffolk Downs. \$1.4B proposal on Monsanto site
  - Impact of these developments on the watershed and nearby lands is an important thing for all to consider. Major development projects can do a lot of good. Suffolk Downs released and ENF. Proposing to do a lot for pervious surface and restoration. Monsanto site just came out as an ENF. MyRWA is pressing really hard for the proponents to take leadership to make sure that they meet and exceed all MEPA requirements.
  - We would like to prepare a letter from the committee to the Gaming Commission to say what the areas of concern are for the Steering Committee and that improvement in the environment would provide benefit to the watershed and host communities. We would like the Gaming Commission to use environmental factors in their decision-making.
  - Not trying to get in the middle of other issues (which site, gambling, traffic, etc.) related to the casino developments.



- **IF** either of these casinos get built, we'd just like to see environmental benefits in their developments in the short and long-term.
- This will be the first time the Gaming Commission has been contacted by an environmental group
- Need to make the same pitch to the individual communities. Wynn would be giving funds to the City – where are the funds going to be used? We should push that message about the River and environmental benefits.
- Communities could be cc'd and local governments, state legislature, and fed legislatures and they should be suggested to write their own letter.
- Mention open space, CWC, MyRWA, MAPC – would like to insert something about connectivity of pathways between lower Malden and lower Mystic Rivers.
- Next steps – draft letter and distribute and weigh in and speak with management and if there are issues, we can modify. It needs to be general enough so that environmental restoration/protection and folks can support. Would like to get draft out in a few weeks. Letter could go out in July.
- Sept meeting idea, agreed upon. Could also consider a public meeting to discuss environmental importance of the developments.
- **Ethanol Train**
  - **UPDATE:** As of the publishing of these notes, this proposal has been dropped by the applicant.
  - Concern with movement of millions of gallons of ethanol by train (Chelsea and Everett) to Global Oil terminal on Chelsea Creek. Concern about safety where trains are passing. MyRWA looking at it through environmental POV and safety of river if there were a train overturn. Issue is a bit outside MyRWA domain – safety issues (fires, etc.). The communities do not have the capability in their fire departments. The facility does require a Ch.91 license to expand on the Chelsea Creek. Speaks to EJ in lower Mystic. Could be dangerous and impactful by a private company that could have very big impact on local community. Trains come in and then leave through truck trips. Alternative is for ethanol to come in by barge (presently does). Interest to use rail capacity to bring it from the mid-west. Encourage members to look at the issue and review what Chelsea Collab is doing on the issue. MyRWA is looking at environmental implications on the issue and may weigh in if there are issues they can take on.
    - When is Ch. 91 public comment period?
    - Review the issue, Global proposal, Ch 91 proposal, and how does it fit into the mission statement.
    - Get back to Roseann, there is interest at the Steering Committee level and she needs to provide information including Chapter 91 information.

### Next Meeting Date

- **UPDATE** – As of the publishing of these notes, September meeting will be held on Sept 25. Location and time TBD.