

Water Resources Advisory Committee
Minutes of Meeting
July 9, 2009
Public Safety Building EOC

Member present: Helen Probst, Barry Rosen, Ron Beck, Carol Holley (clerk)

Absent: Chris Schaffner, Joanne Bissetta

Staff: Justin Snair

Guests: Clint Seward, Matt Liebman

The meeting opened at 7:28 p.m. Mr. Beck related the history of the WRAC to Mr. Snair, who is new to the group. Ms Holley will email past meeting minutes to Mr. Snair so he can catch up.

Ms Probst moved to accept the minutes of the May meeting as presented, Mr. Rosen seconded, and all voted in favor.

The Committee reviewed and discussed issues contained in the draft presentation for Board of Selectmen oversight the following Monday. The role of the WRAC is conceived to be: implementation, where appropriate, of the Comprehensive Water Resources Management Plan (CWRMP) (sewers and beyond), cost and benefits, with evaluation of criteria – how to measure them; base line and ongoing data; public education.

Ms Probst noted that she has developed a bias toward management districts and felt that their creation should be brought to the top of the list, sooner rather than later, in terms of taking a town-wide perspective, which will require town-wide education, politicking and monitoring. She felt that the process as noted on the slide was good. It had occurred to her at the last Sewer Action Committee (SAC) meeting the group needs to consider if not sewers, then what? A true comparison of sewer vs on-site is required. Some environmental protection may have to be put in, but we don't know what level the town as a whole needs for this.

Mr. Beck felt if the WRAC had time at the end of the presentation, the group should chart out and make a recommendation on what we should be doing. He thought that the Board of Health and the WRAC missions weren't the same. Ms Probst noted that the Board of Health gives the WRAC an enforcement hammer.

Mr. Snair related, regarding management districts, that the Health Dept. will be notifying homeowners when it is time to pump their systems. He is working on the Access database, and will generate queries for use in monthly mail merges. It was suggested that imposing fines for not pumping might be appropriate. Mr. Rosen felt that if the town wants to impose a fine, you might need state legislative approval; Mr. Snair thought there was a dollar value threshold before that was required.

Mr. Beck pointed out that his last slide requests action, and there is a slide for immediate things that the group wants to do. Mr. Rosen thought the Selectmen would ask what the WRAC thought its charter was for the coming year. Mr. Beck felt that there was a reason to keep the WRAC and SAC separate; Mr. Rosen noted that the original charter of SAC was to do the financials, and that got expanded. Mr. Beck noted that the WRAC goal is to look at the whole town and figure out needs, costs, benefits and then

make recommendations. Ms Probst observed that Selectman Magee didn't think a fiscally prudent solution for sewerage Spencer/Flint/Tuttle would be possible. The residents didn't want to let this die at the \$50,000 betterment report. The WRAC spun off a group that has a vested interest because they had the energy in it.

Ms Probst observed that the CWRMP needs areas were not based completely on science; some of it was a matter of neighborhood identification. Mr. Beck noted that maps in the Phase I document are based on actual science, and they indicate small areas scattered around town. For the next document, it was how do we take these scattered areas and make areas that are more cohesive. Mr. Rosen asked if the CWRMP recommendations and maps make sense? He felt that somebody had to ask that question.

Ms Probst noted that the areas were study areas, not necessarily areas for specific actions. You don't plan for a site solution for three people if there are ten in the area that need off-site; it was deliberately done on a larger scale.

Mr. Beck noted that one of the biggest gaps, to him, is the management districts. We haven't touched that because we immediately went off onto S/T/F. There are a lot of political and institutional issues with management districts. It's not clear an approach like this would be acceptable to people. Most of the CWRMP is based on a model – monitoring data. What are we going to do about collecting the correct data? In the CWRMP, you need to set up a better monitoring network so that you know if the management district is working or not. That needs to be looked at. Regarding S/T/F, do we look at advanced treatment? Cluster systems? What do we do? We were going to devise a short list of IA systems to recommend. If your goal is Nitrogen and Phosphorous mitigation, you have one technology, and there could be others.

Mr. Liebman noted that Mr. Halley, in another meeting, had related that the IA systems were not working. Mr. Liebman's recollection was that they had to be monitored for a certain number of years. Mr. Snair related that the Health Dept. monitors IA system contracts. They make sure they have contracts for operation & maintenance – it's a reporting issue. It comes down to a personnel issue. One of the priorities is to make the department more automated; we are now tracking new IA's starting last December. Sometimes the O&M contractors say they haven't received their renewals. O&M includes inspections. Reports are submitted to the State, not the town, as far as Mr. Snair knew – we don't see the contracts or inspection reports. Mr. Snair noted that Franklin Place is an exception, possibly because it's a 40B. They do quarterly analysis and have monitoring wells; the developer put of \$5,000 to pay for monitoring. Mr. Beck observed that he owned a unit in that condominium and didn't know of the monitoring activities.

Mr. Liebman stated that he believed there was a lot of data on IAs that could be mined to help the committee understand them. Mr. Snair noted that the Health Dept. files are color codes and IA systems can stand out when you open a drawer; it wouldn't be difficult to determine where they are. Mr. Snair offered to ask Mr. Halley if he receives copies of the IA O&M reports that are submitted to the state.

The Education/Quality/Trends topic was brought up. Does the group want to sample for new parameters? Install new wells? How do you report back to the public on an annual basis? Does the group want money for more sampling? We don't really have the data to answer people's questions.

Mr. Liebman noted that the EPA had some nutrient data from Fort Pond Brook, which was used as a study site. Mr. Beck noted that we might want to allocate money for a sampling program. Ms Probst

related that state SRF funds could also be used for monitoring, not just building sewers. Mr. Liebman related that people at the DEP said all that needed to be done was submit an application, but Ms Probst thought that the original grant monies allocated to Acton were pretty much dried up.

Mr. Rosen asked if there were any anticipation that the Selectmen would ask the WRAC to focus on one thing or another. He made note of the WILMAC report regarding conditions for expansion of the Water District. Mr. Rosen thought the Town of Acton should do something to protect public wells. There are actions that the town can take if something happens – the complication is that the town has to work with the state because 27 and 2A are state roads.

Mr. Beck related that Selectman Rosenzweig had mentioned to him that she felt the WRAC should concentrate on education; that would probably be her starting position. He noted that there is going to be a discussion by the Selectmen, scheduled to take place in November, on use of remaining treatment plant capacity; there are environmental costs and benefits, development issues, and financial issues, and the WRAC could provide input on the environmental cost/benefit. Ms Probst averred that sewerage is the best off-site solution for certain properties, within limits, but the capacity needs to be allotted carefully. Mr. Beck noted that nobody wants to talk about the development part, but sometimes that is really what it's all about.

Mr. Beck introduced the WRAC top 10 priorities slide – what is the right order? Public education is one overarching function. Another is generating criteria to assess options for needs areas, and cost-benefit analysis. Ms Probst noted the group can provide environmental input regarding sewer expansion, which could be a near-term goal for the meeting in the fall, but the methodology could also be expanded into the wider community.

Mr. Liebman thought the group had three overarching priorities:

1. Understand sewer management – input in November - re-evaluate what the red dots on the phase 1 map means
2. Explore management districts – IA, cluster, etc
3. Storm water – reduce; nonpoint source pollution

Ms Probst asked, how do we approach the CWRMP moving forward? What does it really mean?

Mr. Liebman asked if the town has filed an MS\$ report – stormwater program for the town. The town has a permit – the report would go to the EPA. Acton's website only goes to 2005-06. Did Acton's permit get renewed? Mr. Snair noted that a catchbasin report was done last year, and Mr. Halley was going to do a report on stormwater. Mr. Liebman noted that if there's a stormwater management plan, this group needs to make sure it's working – water quality and quantity.

Mr. Beck stated it looked like 4 bullets:

Review and recommend wastewater criteria and priorities for the CWRMP

1. Management district approach
2. Stormwater/NPS management
3. Public water supply protection

Education is an overarching function.

Ms Probst observed that, eventually, the town might need an official DPW to manage water issues, among other things.

Mr. Liebman stated he would like to join the WRAC. Mr. Beck moved, and Ms Probst seconded, to recommend his appointment. All voted in favor.

Mr. Beck discussed next steps – he will revise the slides for the oversight meeting, and make the presentation shorter. He will provide the Selectmen with the longer presentation for their packets. He will email the revised presentation to the WRAC members for feedback; it was emphasized that all feedback be addressed only to Mr. Beck to avoid Open Meeting Law violations. Mr. Beck will present on Monday, and others are to speak up and add as needed.

Mr. Rosen related a recent trip to Seattle, and all the water quality issues there. Seattle now has a bylaw that restricts clearing of a lot to 35% of the area; homeowners can use only 35%, and this was done for water quality purposes.

Ms Probst moved to adjourn, Mr. Rosen seconded, and all voted in favor. Meeting adjourned 9:40 p.m.

Respectfully submitted,

Carol Holley, Clerk