

**Mystic River Watershed Initiative Steering Committee
September 14, 2017**

September 14, 2017 | 10:00am-12:00 pm
Century Bank | 400 Mystic Ave. Medford, MA
Meeting Summary
Prepared by the Consensus Building Institute

Present: Erik Beck (EPA), Todd Borci (EPA), Bryan Carignan (Town of Winchester), Amber Christoffersen (MyRWA), Mel Coté (EPA), Ashley Cryan (Northwestern University), Heidi Davis (MassDEP), David Elmer (Weston & Sampson), Ona Ferguson (CBI), Patrick Herron (MyRWA), Andy Hrycyna (MyRWA), Alicia Hunt (City of Medford), Dan LeFrance (Fuss & O'Neill), Carole McCauley (Northeastern / MassBays), Hillary Monahan (MWRA), Karen Pelto (EEA/MassDEP), Tom Philbin (City of Everett), Tony Rodolakis (Amec Foster Wheeler), Beth Rudolph (Town of Winchester), Ivey St. John, Elaine Vreeland (Winchester Conservation), John Walkey (GreenRoots), Jim Whitehead (Town of Winchester), Caitlyn Whittle (EPA), Catherine Daly Woodbury (City of Cambridge).

Next Meeting: The next Steering Committee meeting date is November 30.

Action Items

- All – Review revised Mission & Priorities documents & submit any suggested changes.
- October 4 is the final public meeting about the Malden River Greenway Plan.
- November 2 is the Boston Harbor Ecosystem Network meeting about the effects of engineered structures to protect Boston Harbor. (Let Carole McCauley know if you'd like to be on the Boston Harbor Ecosystem Network mailing list to hear about Network meetings.)
- Alicia Hunt and Ivey St. John – discuss transportation demand management.
- EPA and CBI – Revise and finalize Mission & Priorities documents, with Coordinating Team input as needed.
- Coordinating Team –
 - Develop spring 2018 meeting schedule.
 - Plan November meeting agenda. Topics suggested: EOEEA and MEMA's new integrated climate mitigation and hazard planning process, dredging and CAD cells, Boston harbor deepening dredging.

Welcome and Documents Approval

We were welcomed by Mr. Sloan of Century Bank, who noted the importance of Mystic River clean up efforts for everyone who lives and works near the river. Mel Cote, EPA and Mystic River Watershed Initiative Steering Committee co-chair, welcomed participants and thanked Ivey St. John for providing refreshments.

Featured Municipality: City of Medford Mystic River Projects - Alicia Hunt, Director of Energy & Environment, Environmental Agent, City of Medford

Alicia discussed various projects and planning work in the City of Medford. The City is planning for but has not yet built green infrastructure. Medford was coastal with tidal flats before the Amelia Earhart Dam

was constructed. Among other things Alicia is working on right now is the development of Medford's Climate Vulnerability Assessment. Alicia presented on:

- *Riverbank Improvements* – Medford arborists organize a day of service each year in which volunteers learn about local plants (and are sent home with handouts on invasive species), remove invasive plants and plant new trees. In September, 40 Harvard Kennedy School graduate students spent a day helping. “You protect what you know, you know what you see.” People in the area about the river there because they can’t see it. Over the course of the day, the group cleared out vegetation and opened the vista and connection to the river. They are organizing additional service days in 2018.
- *MA DEP Natural Resources Damages Grant* – A 2013 truck accident released 9,600 gallons of #2 fuel oil in the Mystic. EPA and DEP did a good job containing it at the time, and Medford received a grant from MassDEP in the amount of \$34K of the trucking company’s Natural Resource Damages payment of \$55,100. Alicia and the Medford Tree Warden are managing work under this grant. Their goal is to clear out vegetation, open up access to and views of the river in the fall of 2017 and to plant the area with native species in the spring.
- *Multi-use paths in development:*
 - MacDonald Park – DCR did a lot of pathway work in spring 2017. People want the rest repaved for easy biking.
 - Veterans Memorial Park – Pedestrians created a desire line (cutting through an area on foot), DCR paved, creating a multi-use path. Residents have told Alicia the path is life-changing. It is a huge change for users, because Medford residents can now walk to Medford Square and along the river. It has increased foot traffic to the farmer’s market and created a new, pedestrian-friendly route.
 - South Medford Connector – The Mass Gaming Commission, with support from Wynn Casino, is funding a \$60K engineering and feasibility study (feasibility, initial cost estimates, route alignment) for a new project between 93 and the river to get cars off the road, creating transportation alternatives to Assembly Row and the casino. Land ownership is currently being confirmed, but Alicia believes it is on DCR land. Current efforts include determining the best entrances and exit points for biking and walking. The report will be finalized by December 2017, then Medford intends to apply for the next round of community planning grants to fund project construction.
 - Clippership Connector – This pathway, being developed beside where there’s significant senior housing, is under design. Several public meetings have been held, and Alicia expects that the team will soon be proposing some alternatives to proposed linkages. There’s new DOT green infrastructure adjacent to this. (There was a participant suggestion to check illicit stormwater connections further up that feed into the stormwater outfall right by the Clippership Connector site).
- *Riverbend Park* – Medford learned of high lead and arsenic levels on this site, causing DEP to require that the area be fenced off. The next step is to further delineate the contamination, knowing it is heavily used when open. Medford wants to figure out land ownership and then how to put in a path. DCR says paving a path is an appropriate solution to the contamination, which might help the Clippership Connector project.
- *Stormdrain labeling* – Medford used city funds to purchase 4000 signs that say “no dumping, drains to river.” Alicia has had volunteers install 2,000 signs so far. Many people don’t understand that storm drains lead right to the river. The city is very proud of this effort.
- *Invasives* – Medford and MyRWA have managed over 1000 hours of volunteer time removing oriental bittersweet from MacDonald Park in Medford under a US Fish & Wildlife Service grant.

Participants commended Alicia and the City of Medford for all of this good work.

Opportunity: IndustriPlex Natural Resource Damage (NRD) Settlement – Karen Pelto, Natural Resource Damages Program Coordinator, Massachusetts Department of Environmental Protection (MassDEP)

NRD Program Overview – Natural resources (like biota, surface water, groundwater, air, soils and sediment and also services provided by natural resources) are held in trust for the public by the Commonwealth. When oil spills or releases of hazardous materials occur, cleanup and damages assessments follow, which determine the nature and extent of the contamination, evaluation and selection of actions to reduce risks to human health and the environment, determinations of the extent of injuries, and selection of actions to restore natural resources and compensate the public for injuries. The Commonwealth has settled over \$63M in settlements. Funds cover first NRD assessment costs, then future restoration planning, implementation, monitoring and oversight.

IndustriPlex Site Overview & Settlement – This injured site included the Aberjona River through the Mystic Lakes, including sediment, surface water, fish, wildlife and aquatic life, floodplains. Arsenic and Chromium were the contaminants. \$4.25 million was the total NRD settlement. A Trustee Council is being formed which includes MassDEP, US Fish & Wildlife Service, and the National Oceanic and Atmospheric Administration (NOAA). Of this money, \$3,812,127 will be for future restoration planning, implementation and monitoring. All of the money will be programmed in one round of funding. Heidi Davis and her alternate Jill Provencal are the MassDEP Trustee Representatives.

IndustriPlex Restoration Planning –

- Eligible projects & criteria. Appropriate types of projects for this restoration are ones that:
 - Increase habitat accessible to diadromous fish
 - Improve stream connectivity through dam removal or culvert replacement
 - Restore or create wetland and floodplain habitat
 - Permanently protecting quality habitat for fisheries and wildlife
 - Note: projects should benefit fish, birds and fish-eating mammals
- Ineligible projects include
 - activities otherwise required by law or permit
 - Projects that do not restore the same or similar resources as those that were injured (e.g. creating recreational paths or restoring upland habitat)
- IndustriPlex restoration planning process
 1. Public meetings explaining the settlement and NRD, fall 2017
 2. Consultation – MassDEP will interact informally with the public about potential ideas early on to be sure that proposals are logical and a reasonable fit
 3. Identify and evaluate restoration alternatives
 4. Prepare draft Restoration Plan/Environmental Assessment (RP/EA) and recommend restoration alternatives
 5. Public review and comment
 6. Revise RP/EA and prepare Final RP/EA. This is the decision document includes the funding and describes how the NRD team will be involved in the project to help ensure the project is constructed and functions as designed.
 7. Implement restoration projects
 8. Oversee and monitor project performance

Discussion:

- Participants asked about the Wells G&H site Superfund case. Karen said that is not a settled NRD case. Trustees in a Superfund case don't bring a case until after a Record of Decision is made.
- How long did the IndustriPlex process take from the start to when projects are shovel ready? Karen said that the analysis by the Trustees began a decade ago and that it could be another year or two until projects are ready to start construction. Restoration planning, including public input, will begin before the end of 2017.
- Will NRD settlements fund design projects or just projects that go through construction? Karen replied that they do fund some feasibility and design projects, but usually only when they have certainty that the project could be moved to construction after the study. They want projects that are connected to real on-the-ground action.
- Could a project whose total cost was \$2M and the municipality would pay half get funded? Karen said that if the project met the other relevant criteria it might. They are seeking projects that leverage additional funds and projects with applicants that understand the total cost and can show that settlement funding will help the project get done.
- How / when is a project a Superfund Site? If sites were contaminated before 1981, they are usually big project and thus Superfund projects. More recent ones may be smaller/easier/not Superfund. The NRD process also settles cases at 21E sites.

Steering Committee Activities: Open Space Subgroup Report and Discussion – Amber Christoffersen, Mystic Greenways Director, MyRWA

Malden River Greenway Project - Malden, Everett and Medford are work together on the Malden River Greenway. This began with planning in late spring 2017 including several meetings, focus groups and surveys engaging about 300 people. The mayors, MassDOT and MassDEP have worked closely with staff. It is an exciting open space effort, and very collaborative. (Several participants interjected noting that this is a great new, effective collaboration). Community members are supportive. The focus is to clean up the river and increase public access, and MyRWA is steering both of those areas of work. The plan is to develop a cleanup vision and fill a huge mobility gap. In particular:

- National Grid is working with project leaders to open shoreline access through Chapter 91. They will provide public access to their shoreline, currently troubleshooting security and other issues.
- The Woods Memorial Bridge will have two pedestrian underpasses.
- Phase 4 of the Wellington Greenway is about to go through permitting.
- Medford waterfront path connectivity efforts are nearly complete.
- Malden pedestrian connectivity needs more work.
- There's a 40-acre site being developed into a large park in Everett. MyRWA and the City of Everett have been working to design that public space. Wynn is constructing a related riverwalk, which links to the Northern Strand trail.
- MyRWA, MIT and other partners are completing also a human health risk assessment this fall to determine where to build docks or other public access.
- One greenway goal is an accessible shared use path along the Mystic Lakes – but this isn't an active project at this time and doesn't have funding. Could Malden and Winchester work on this together? This is DCR land so would require collaboration.
- October 4 is the final public meeting about the Malden River Greenway Plan. After this event, the team will issue a final vision plan.

Other projects:

- MyRWA, Somerville, DCR and Groundwork Somerville are working together to redesign the Blessing of the Bay Park.
- MyRWA is also doing some work in MacDonald Park and Mill Brook Linear Park.
- MBTA / Wellington Phase 4 work along the river is being permitted by the Medford Conservation Commission. The developer John Preotle has paid for the design of a multi-use path. TetraTech submitted it and DCR signed it. They're seeking signatures from MBTA and another property owner. Then the Conservation Commission will hear it.
- The casino will be connecting their casino harborwalk to the DCR park.
- Regarding getting from Wellington to the casino, some bike and pedestrian pathways on the Rt 16 bridge are being approved, and there's a proposed bridge connecting the two sides of the river between the bridges. The DCR gateway park will also link to this.

Current Activities in the Mystic: Participant Updates

Participants shared current and upcoming projects and relevant information about activities in the Mystic. The name of the person who shared each update is in parenthesis.

- *EPA Funding* - There is a continuing resolution for the federal government through December 8, so EPA is level-funded for the fall. EPA's budget is looking ok overall, the House is proposing about 6% cut, and the Senate is typically friendly to our agency. They're hoping for less than a 5% cut for EPA for next year. All line programs are level-funded. Most geographic and watershed programs are level funded even in the house bill. (Mel Cote)
- *Project Support* - EPA has found funding to increase support from the Consensus Building Institute to replace some of Liz's coordination activities. (Mel Cote)
- *Awards* - The Mystic Federal Urban Waters Partnership is a finalist to the Sammy / Peoples' Choice Award! We are in the top 4. Voting closes tomorrow. (Mel Cote)
- *Phosphorous* - Andy Hrycyna is almost done collecting Phosphorous data to determine how much phosphorous the waters of the Mystic can receive before they are impaired. This will help everyone understand to what extent the phosphorous is in excess of what the system can handle. In fall 2017 – spring 2018, MyRWA will do modeling through a technical advisory committee funded for the second time by EPA. In 2018, MyRWA will do community outreach about what to do next to reduce nutrients. (Patrick Herron)
- *CLF Exxon Case* – The Conservation Law Foundation has an open suite against ExxonMobile on Clean Water Act. Exxon filed a motion to dismiss that was challenging CLF standing and was heard this week. The case was not thrown out for standing. (Patrick Herron)
- *Westfield Land Protection Case* - There's a case in front of the State Supreme Judicial Court about specifying land use. In the 1950s, the city of Westfield accepted a land parcel as a gift that was then used for recreation. It is now being proposed as a school. That would typically require a 2/3 vote of the legislature, but since the deed didn't specify the recreational use when gifted, the town is saying it doesn't require a vote. Karen noted her lesson from this: when protecting a parcel for recreation or open space, be sure the language is in the deed and maybe is held by another party to ensure that it is used that way over the long term. (Karen Pelto)
- *Transportation in Chelsea/Charlestown/Somerville* - The Lower Mystic Regional Planning Group (Maura Healy's effort to get a look at transportation and traffic facilities) is meeting with help from the Consensus Building Institute on September 25. They'll present an analysis of their seven alternatives on bike paths, bus service, orange line, etc. The lesson Ivey takes from this is that

people working on these issues should focus on low-key, cheap solutions to include mobility, including very aggressive transportation demand management in coordination with all developers and increasing bus service. This would be a \$200M investment for the state and can have an impact as land use developments happen (significantly sooner than benefits would be seen from long-term infrastructure improvements). Changing Orange Line operations would cost \$400M. The study shows that an orange line stop at Wynn Casino would have minimal impact. Charlestown is working hard to preserve the plan Mayor Menino sent to federal agencies in 2013. (Alicia noted that Medford could use help beginning to explore transportation demand management. She and Ivey will discuss this.). (Ivey St John)

- *City of Everett express bus lane* – the City of Everett is painting an express bus lane this week down Broadway. It is the only one outside of Boston, and will speed up commute time for buses and cars by about 5 minutes. Boston also announced another bus lane from Everett into Boston over the North Washington St Bridge. (Todd Philbin)
- *TriCommunity Greenway Bike Path* - MassDOT is building this bike path near upper Mystic Lake. (Beth Rudolph)
- *The Boston Harbor Ecosystem Network* meets on November 2. All are welcome to attend to learn about the findings of the biological, social, ecological, physical impacts of installing engineered structures to protect Boston Harbor. MassBays is hosting. (Carole McCauley)
- *Mystic River Navigational Dredging* - Wynn will do dredging of the Mystic River navigational channel beginning in October. The contaminated sediment will be barded out of state. Wynn's living shorelines are 70% complete. (Tom Philbin)
- *Boston Harbor Deepening* – Boston Harbor is being dredged to accept deeper, Panamax-sized ships. The Malden is not being deepened at this time.

Steering Committee Notes and Documents

- The group blessed the June 2017 Meeting Summary.
- *Mystic River Watershed Initiative Mission and Priorities* – A subset of participants have been working to finalize priorities for the next few years. Drafts will be circulated shortly after this meeting and people will have a week to send in any final comments. The Open Space Mission and Priorities are essentially done. Andy Hrycyna handed out the draft Water Quality priorities and reviewed some modest changes from the previous draft. He noted that the priorities are to reduce phosphorous loading, reduce wastewater contamination, continue MS4 municipal assistance, increase knowledge of legacy sediment contamination, and (a new addition) work on climate change resilience. A few new initiatives were added, notably the annual report card MyRWA and EPA create, new stormwater collaborative efforts under the Urban Waters small grant from EPA, and climate change resilience work.
 - The group agreed these documents to change the document dates to 2018-2019.
 - Participants noted the existing 2003 MS4 permit that should go into effect in 2018 and the tension around how various participating organizations and agencies can move this topic forward.
 - Participants noted that it is important for people involved in this initiative to be aware that federal and state agencies may be at odds or have some tension given their different guidance right now related to climate change. CEQ withdrew their climate change requirement, while MA requires that climate change be considered.