



**Report from Mystic River Watershed Steering Committee Meeting  
( 1<sup>ST</sup> DRAFT)  
September 5<sup>th</sup>, 2012, Winchester Town Hall  
Next Meeting: Wednesday, December 5th, 2012; Arlington Town Hall**

Lynne Hamjian opened the meeting by introducing herself and asking those in the meeting to do the same. She asked for announcements, and EK for MyWRA spoke about a celebration on Saturday, 9/8, with music, artists' work displayed along Mystic Lakes, the Mystic River and Alewife Brook. Canoes and kayaks would be available to rent at the Mystic Lakes Dam. He invited all to join in the fun.

The June Steering Committee meeting's report was accepted with one correction: Lise Marx said she was at the meeting although her name was not on the attendance list. Andy DeSantis also reminded the group of a discussion item that wasn't mentioned in the minutes. Karen Simpson agreed to make the corrections and the report was approved.

**Update from the Water Quality Sub-Committee:**

MyRWA's Patrick Herron presented the Water Quality Sub-Committee's draft of a memo for the MADEP which expands the data to be included in the Sanitary Sewer Overflow (SSO) report to MADEP. Committee brainstorming revised the draft.

Patrick stressed the need for considerably wider distribution of the overflow information to key municipal departments including public health agencies, and the importance of adding any data on sewer back-ups into private homes. These steps provide a stronger basis for evaluation of public health dangers, and will drive more thorough review of municipal sewer system conditions in the future.

DEP's Todd Borci was part of the letter drafting team, and commented that the expanded form allows for substantially more descriptive narrative of events, and should be completed in full.

Chelsea's Andy DeSantis suggested municipalities do not always have exact dates of overflows, and suggested notifying the public should happen by the end of the next business day, as municipal staff are generally not available over holidays and weekends. Andy also suggested adding a check box to identify whether the residential back up comes from a main or service block. EEA Representative Karen Pelto suggested such a box check would expedite greatly future MassDEP database searches for data and information.

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ACE's Gene Benson suggested changes to the draft be made, and the revised version should be distributed and approved by email. EPA's Caitlyn Whittle submitted the revised draft on Friday, 9/7, and asked for email approval by September 14<sup>th</sup>.

Subsequent to Caitlyn's email, additional comments were received by email and the final draft will be attached with this report.

#### **Update from Open Space Committee - Lower Malden River:**

Patrick then reviewed two meetings with superfund representatives on how to address contaminant issues in the Lower Malden. Karen Pelto is reviewing the state resources available for reclamation, while MyRWA's Policy Committee is examining 21E concerns at the site. Gene asked that land contaminant issues adjacent to the river should also be addressed.

Patrick agreed that these examinations are critically important, as the data from test borings currently being carried out will require an effective organizational structure.

MET's Bill Hinckley followed with a discussion of work among the Mystic Valley Development Commission (MVDC), the Army Corps of Engineers (ACOE) and MET, which organizations are examining the area opposite River's Edge. The focus is on 15 acres of phragmites, and 36,000 yards of contaminated sediment, with the goal of creating 5 ½ acres of new wetlands. MET's funding provides non-federal match for the design component of the ACOE Section 206 restoration project, but the MVDC will have to find the balance of the \$1 million needed as match for the construction phase of the project.

Gene wondered if the original polluters could be identified; Karen commented establishing the source for legacy pollutants is difficult, and is further clouded by jurisdictional issues. EK suggested once the boring data is public, it may be easier to determine source and responsibility.

#### **Update from Open Space Committee - GE Site:**

EK reported that the MyRWA Policy Committee also has been examining concerns regarding barriers to open access to the Malden River from the former GE site. Berkeley Green II LLC is the developer. The February 12, 2010 Public Benefits Determination, signed by Ian Bowles, Secretary of EOEEA states the project:

“will stabilize the site and decrease the erosion and run off to the Malden River, thereby improving water quality, through planting and preservation of shade trees, seeding of open areas, planting of vegetative barriers in the area of the Scenic Overlook and the **installation of physical fencing at portions of the Riverwalk adjacent to the Malden River to afford public enjoyment and deter public contact with contaminated river sediment.**”

The Certificate, also signed by Bowles on the same date describes changes from the original EENF filing by Berkeley Green II LLC. The project description in the SEIR, he writes, has been refined to include a vegetated barrier adjacent to scenic overlook area to limit direct contact with contaminated sediment.

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However, later in the Certificate, the vegetated barrier is referenced again with the addition of a physical fence along portions of the Riverwalk.

EK had presented this case to an earlier Open Space Committee meeting attended by a wide range of representatives from US EPA, the city of Malden, and from State and Federal agencies who offered resources to assist with efforts to review the conditions which drive site use restrictions and to develop alternative solutions that would allow the general public greater access to the waterfront. Members of the Open Space Committee participated in this ad hoc discussion. EK thanked Karen Peltó for her research on the issues involved, and urged the Steering Committee to support efforts to examine underlying site conditions and permit language in order to assess what leverage may be obtained to increase public access to this key piece of Malden River waterfront.

The Charlestown Waterfront's Ivey St John and Gene pointed out that neither the Determination nor the Certificate granted to Berkley Green II LLC showed any resident involvement in the review processes, despite the fact that Malden and Everett are clear examples of communities wanting and needing a high level of public use of a waterfront. Gene stated that the conditions surrounding this site and site development process illustrate very well the limitations and obstacles to use and access often found in an urban, environmental justice neighborhood.

The discussion which followed displayed a consensus that further work to examine and try to lift the restriction to public access and enjoyment should be an important focus for the Open Space and Steering Committee.

#### **Progress Report on MET Grants and ExxonMobile Funded Activities:**

Bill Hinkley reviewed in detail the MET grants totaling \$508,000 to the Lower Mystic, and regarding the grants made from the \$1,000,000 fine resulting from the EPA/Dept. of Justice criminal conviction of ExxonMobile. A copy of this presentation will be emailed by EPA when it becomes available.

#### **EPA Update of its current activities on the Mystic Watershed:**

Caitlyn reviewed the Steering and Sub-committee structure, describing the support provided to those activities by EPA. In addition, she reviewed the Water Quality Report Card history, Chelmsford Lab work, the water quality monitoring program, the National Green Infrastructure Partnership, the Porous Education Project in Arlington, the UMass Collaborative, the progress on the North Coastal Watershed Small MS4 General Permits, the NPDES Permits for petroleum bulk storage facilities on the Chelsea Creek, and finally, the enforcement actions to prevent sewer discharges into the watershed. For a copy of this presentation, please contact Caitlyn Whittle at EPA ([whittle.caitlyn@epa.gov](mailto:whittle.caitlyn@epa.gov)).

#### **DEP Review of DEP Enforcement Actions:**

Currently, MassDEP is constrained by resources. MassDEP's Nihar is the only employee working in the Mystic, among other watershed duties. There are currently enforcement orders in 8 communities within the Mystic. These include: Arlington, Cambridge, Medford, Malden or Melrose, Somerville, Winchester, Everett, Burlington and Belmont. Most of these communities have already spent money on improvements. Belmont, in particular, spent \$7 million for IDDE measures. Everett completed projects in an area with chronic CSO problems by replacing their systems. A total of \$2.6 of State Revolving Fund (SRF) money has been allocated to help with improvements.

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The meeting was lengthy, and closed at noon. The next meeting will be held on December 5, 2012 and we are looking for someone to volunteer to host. The agenda for next meeting will include an update on Draw 7 Park and an update on the GE site.

Respectfully submitted, Ivey St John, with help from Karen Simpson

**Meeting Attendance:**

<b>Name</b>	<b>Organization</b>
Tony Rodolakis	AMEC
Ivey St. John	CWC
Eugene Benson	ACE
Mike Celona	DPH
Karen Pelto	EEA Representative
Betsy Ware	Winchester
Lise Marx	MWRA
Andrew DeSantis	Chelsea
Matt Shuman	Winchester
Jan Dolan	Friends of Upper Mystic Lakes
Caitlyn Whittle	EPA
Patrick Herron	MyRWA
EK Khalsa	MyRWA
David Pavlik	Lexington
Lynne Hamjian	EPA
Chris Mancini	Groundwork Somerville
Nihar Mohanty	MassDEP
Todd Borci	EPA
Wayne Chouinard	Arlington