

Public Facilities Committee Agenda

City of Newton In City Council

Wednesday, February 8, 2023

The Public Facilities Committee will hold this meeting as a hybrid meeting on Wednesday, February 8, 2023 at 7:00 pm. To view this meeting using Zoom use this link: <u>https://us02web.zoom.us/j/82677843400</u> or call 1-646-558-8656 and use the following Meeting ID: 826 7784 3400 or join the committee at Newton City Hall in Room 205

Item Scheduled for Discussion:

Public Hearing

#49-23 Eversource petition for Grant of Location in Centre St

EVERSOURCE ENERGY petitioning for a grant of location to install one (1) hip guy and anchor and remove one (1) tree guy from pole 73/78 on the westerly side, at #912 Centre St. (Ward 7)

Public Hearing

#50-23 Request for a grant of location in Pleasant St and Tyler Tr

NATIONAL GRID petition for a grant of location to install and maintain gas main in Pleasant St and Tyler Tr as follows:

- 75' <u>+</u> of 6" plastic main extending from the existing 6" cast iron (1916) main in Tyler Tr for new service at #75 Pleasant St.
- 60' <u>+</u> of 2" plastic service line at #75 Pleasant St extending from the new 6" plastic main extension. (Ward 3)

#51-23 Resolution for a Future without Gas and for Clean Heat <u>COUNCILORS LEARY, HUMPHREY, BOWMAN, DOWNS, CROSSLEY, KALIS, GREENBERG,</u> <u>LIPOF, RYAN, LUCAS, KELLEY, WRIGHT, NORTON, ALBRIGHT, AND DANBERG</u> presenting a Resolution supporting the creation of a city-wide plan to equitably achieve efficiencies, reduce emissions and risks of gas infrastructure and expediting electrification.

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: <u>jfairley@newtonma.gov</u> or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

Referred to Public Facilities and Finance Committees

#58-23 Appropriate \$280,000 to Complete Phase 1 of the City's Phosphorus Control Plan <u>HER HONOR THE MAYOR</u> requesting authorization to appropriate and expend one hundred sixty thousand dollars (\$160,000) from Stormwater- Full-time Wages Acct # 62A40101-511002 and one hundred twenty thousand dollars (\$120,000) from Stormwater – Drainage System Acct # 62A40101 -586004 for a total of two hundred eighty thousand dollars (\$280,000) to cover the completion of Phase 1 of the City's Phosphorus Control Plan.

Respectfully submitted,

Alison M. Leary, Chair



180 Calvary Street Waltham, Ma 02453

January 5, 2023

City Council City of Newton 1000 Commonwealth Avenue Newton, MA 02459

RE: 912 Centre Street Newton, MA W.O.#10483974

Dear Members of the Council:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install a hip guy and anchor at 912 Centre Street.

This work is necessary to relocate the existing guy wire to a new location as the current location is a dead tree.

If you have any further questions, please contact Joanne Callender at (781) 314-5054. Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

Richard M. Schifone

Richard M. Schifone Right and Permits, Supervisor

RMS/HC Attachments

CITY OF NEWTON MASSACHUSETTS

PETITION for GRANT OF LOCATION

To the Petitioner:

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the City Council before it is sent to the Public Works Department for a preliminary review. The comments of the Public Works Commissioner will be part of the record submitted to the City Council. Upon filing with the City Council, the petition will be scheduled for a public hearing before the Public Facilities Committee of the City Council. **The petitioner is responsible for ensuring that the petition is complete, and all required materials are for review.** Attached please find the City Engineer's <u>Standard Requirements for Plans</u> and the Department of Public Works <u>Permit Processing</u> brochure.

Grant of Location Process:

- 1. Applicant submits completed Petition Form and required materials to the City Council
- 2. Public Works Department conducts preliminary review and gives written comments to the applicant
- 3. Engineering Division files Petition Form with comments with the Clerk of the City Council
- 4. City Council schedules petition for a public hearing before the Public Facilities Committee of the City Council
- 5. Public Facilities Committee recommendations are forwarded to the City Council for a final decision

Questions may be directed to:

Lou Taverna, City Engineer, 617-796-1020 Cassidy Flynn, Clerk of the Public Facilities Committee 617-796-1213

I. IDENTIFICATION (Please Type or Print Clearly)

Company NameNSTAR ELECTRIC DBA EVERSOURCE ENGERGYAddress180 Calvary Street Waltham, MA 02453

Phone Number <u>617-776-7300</u>

Fax Number <u>781-314-5165</u>

Contact Person	Richard M. Schifone	Title Supervisor Rights and Permits
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Signature *Richard M. Schifone* Date <u>1/5/2023</u>

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

II. DESCRIPTION OF PROJECT: to be completed by petitioner

Eversource to install hip guy and anchor at 912 Centre Street, Newton W.O.#10483974

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide: Title of Plan <u>CENTRE STREET, NEWTON</u> Date of plan <u>10/19/2022</u>.

III. PUBLIC WORKS DEPARTMENT REVI	EW				
Date received by Public Works Department January 5	5, 2023				
Check One: Minor Project Major Project	ct 🗌 Lateral				
(Refer to City Engineer Standard Requirements for	or Plans for definition of minor and major project)				
Plans Submitted: Certified Plot Plan Stamped Plans					
DATE AND COMMENTS:	RECOMMENDATIONS:				
The existing pole needs a hip, guy and anchor for stability; the anchor is to be placed at the back edge of the sidewalk. The placement must conform to ADA & AAB minimum 3-ft. clearance. The plastic shield	Upon completion an as built shall be submitted to the DPW. All restoration shall be in kind to current standards.				
shall be high visibility. The contractor of record shall obtain a Sidewalk Crossing Permit w/DPW prior to any construction. Pedestrian access shall be accommodated for the duration in accordance with	- John Daghlian, Associate City Engineer - January 12, 2023				

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

Shawna Sullivan

the DPW requirements.

Digitally signed by Shawna Sullivan Date: 2023.01.12 12:40:45 -05'00'

Commissioner, Public Works

Date

PETITION OF NSTAR ELECTRIC DBA EVERSOURCE ENERGY AND OTHER COMPANIES FOR JOINT OR IDENTICAL LOCATIONS FOR POLES To the City Council of the City of Newton, Massachusetts

Respectfully represent **NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY** and **VERIZON NEW ENGLAND INC.,** companies subject to Chapter 166 of the General Laws (Ter. Ed.), that they desire to construct a line upon, along and across the public way or ways hereinafter specified.

WHEREFORE, your petitioners pray that after due notice and hearing as provided by law the <u>CITY COUNCIL</u> may by Order grant your petitioners joint or identical locations for the erection or construction of poles, to be owned and used in common by them, and for such other fixtures as may be necessary to sustain or protect the wires of the line, said poles to be located, substantially as shown on the plan made by <u>T. Thibault dated October 19, 2022</u> and filed herewith, upon, along and across the following public way or ways of said City:

Centre Street - Approximately 7.5 feet easterly from pole #73/38, approximately 108 feet north of Mill Street, install hip guy and anchor.

W/O #10483974

Your petitioners agree to reserve space for one crossarm at a suitable point upon each of said poles for the telephone, fire and police signal wires owned by the City and used for municipal purposes.

NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY

By Richard M. Schifone

Richard M. Schifone, Supervisor Rights and Permits

VERIZON NEW ENGLAND, INC.

		By <u>Kan</u> Karer	n Leve <i>sque</i> n Levesque <i>(</i> ROW Manager
Dated this <u>30</u>	day of <u>No</u>	ovember	2022
City of	Newton,	Massach	usetts
Received and	l filed		<u>,</u> 2022

City Clerk

To the City Council of the City of Newton, Massachusetts

WHEREAS, **NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY** and **VERIZON NEW**

ENGLAND INC. have heretofore been granted a joint or identical location for, and have erected or constructed, a line consisting of wires, poles and such other fixtures as may be necessary to sustain or protect the wires of the line upon, along and across the public way or ways thereinafter specified, and have petitioned for an alteration in the location of certain said poles.

It is ORDERED that **<u>INSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY</u>** and **<u>VERIZON NEW</u>** <u>**ENGLAND INC.**</u> be and hereby are granted joint location for said poles be altered so that hereafter said poles shall be located, substantially as shown on the plan on file with said petition for alteration in the location, upon, along and across the following public way or ways of said city:

Centre Street - Approximately 7.5 feet easterly from pole #73/38, approximately 108 feet north of Mill Street, install hip guy and anchor.

W/O #10483974

All construction work under this Order shall be in accordance with the following conditions: Poles shall be of sound timber and located as shown on a plan made by <u>T.Thibault</u> dated <u>October 19, 2022</u> on file with said petition. There may be attached to said poles by said <u>NSTAR</u> <u>ELECTRIC COMPANY DBA EVERSOURCE ENERGY</u> and by said <u>VERIZON NEW ENGLAND</u> <u>INC.</u> wires and cables necessary for the conduct of their business. All such wires and cables shall be placed at a height of not less than twenty feet from the ground.

A true record.

Attest:_____City Clerk

Approved: _____ 2023

Mayor

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter.Ed.), and any additions thereto or amendments thereof, to wit: -after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the City Clerk to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held at **City Council** in said City on ______ day of ______, 2023 at P.M.

City Clerk

CERTIFICATE

 I hereby certify that the foregoing are true copies of the Order of the City Council of the

 City of
 Newton,
 Massachusetts,
 duly adopted on the
 day of

 2023, and recorded with the records of location Orders of said City,
 2023, and of the certificate of notice of hearing thereon required by Section

 Book
 Page
 and of the certificate of notice of hearing thereon required by Section

 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest:

Clerk of the City of **Newton**, ,Massachusetts



TRUSTEES OF BOSTON C/O JOS M HERLIHY 90 COLLEGE RD CHESTNUT HILL, MA 02467

OGAS OGI ALGHANEM TOFOOL 920 CENTRE ST NEWTON, MA 02459 KLARFELD PATRICIA A 925 CENTRE ST NEWTON, MA 02459

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ZIOLKOWSKI JAN MICHAEL ZIOLKOWSKI ELIZABETH ANN 930 CENTRE ST NEWTON, MA 02459

CITY OF NEWTON MASSACHUSETTS

PETITION for GRANT OF LOCATION

To the Petitioner:

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the City Council before it is sent to the Public Works Department for a preliminary review. The comments of the Public Works Commissioner will be part of the record submitted to the City Council. Upon filing with the City Council, the petition will be scheduled for a public hearing before the Public Facilities Committee of City Council. The petitioner is responsible for insuring that the petition is complete, and all required materials are in order for review. Attached please find the City Engineer's Standard Requirements for Plans and the Department of Public Works Permit Processing brochure.

Grant of Location Process:

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- 4. City Council schedules petition for a public hearing before the Public Facilities Committee of the City Council
- 5. Public Facilities Committee recommendations are forwarded to the City Council for a final decision

Questions may be directed to:

Lou Taverna, City Engineer, 617-796-1020 Cassidy Flynn, Clerk of the Public Facilities Committee 617-796-1213

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name

NATIONALGRID

201 Rivermoor Street

Address

West Roxbury, MA 02132

Phone Number 617-894-3896 Mary Mulroney Fax Number

Permit Representative

 Contact Person
 Title

 Mary Mulreney
 January 19, 2023

 Signature
 Date

 Person filing application
 Date

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

II. DESCRIPTION OF PROJECT: to be completed by petitioner

Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

Nationalgrid requests a Main Extension to install approximately 75 feet of 6- inch Plastic main extending from the existing 6 -inch Cast Iron (1916) main in Tyler Ter for new service at #75 Pleasant St.

Service Installation-Install approximately 60 feet of 2- inch, Plastic service at #75 Pleasant St extending from the new 6- inch, Plastic main extension.

A. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide: Title of Plan _____ Date of plan _____

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department January 20, 2023

Check One:		
Minor Project	Major Project	Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

Certified Plot Plan

Stamped Plans

DATE AND COMMENTS:

RECOMMENDATIONS:

The contractor of record shall obtain a Sidewalk Crossing & Trench Permits w/DPW prior to any construction. Pedestrian access shall be accommodated for the duration in accordance with the DPW requirements. Siltation control shall be placed & maintained in the catch basins w/in the construction zone. The contractor shall contact the Utilities Division to mark out water-sewer-drain lines.	 prior to any construction as the City is not a member of Dig Safe. Upon completion an as built shall be submitted to the DPW. All restoration shall be in kind to current standards. John Daghlian, Associate City Engineer June 20, 2023 	

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

Shawna Sullivan

Digitally signed by Shawna Sullivan Date: 2023.01.23 17:37:54 -05'00'

Commissioner, Public Works

Date

City of Newton / City Council:

The Nationalgrid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the **City of Newton** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

Nationalgrid requests a Main Extension to install approximately 75 feet of 6- inch Plastic main extending from the existing 6 -inch Cast Iron (1916) main in Tyler Ter for new service at #75 Pleasant St.

Service Installation-Install approximately 60 feet of 2- inch, Plastic service at #75 Pleasant St extending from the new 6- inch, Plastic main extension.

Date: January 19, 2023

By:

Mary Mulroney

Mary Mulroney Permit Representative

City of Newton / City Council:

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways and places of the **City of Newton** substantially as described in the petition date **January 19, 2023** attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Nationalgrid shall comply with all applicable provisions of law and ordinances of the **City of Newton** applicable to the enjoyment of said locations and rights.

Date this	day of	, 20 .		
I hereby certify that	the foregoing order was duly adopted by the			of
the City of	, MA on the day of	f	, 20	

WO # 1502891

By:
Title

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	MATERIAL	ΡL	PL
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2	DDS-NEW-71220461 G-002	CONSTRUCTION NOTES
e	DDS-NEW-71220461 G-003	CONSTRUCTION NOTES & BILL OF MATERIALS
4	DDS-NEW-71220461 C-001	OVERALL LAYOUT SHEET & TIE-IN DETAIL
5	DDS-NEW-71220461 C-201	STANDARD DETAILS
9	DDS-NEW-71220461 C-202	STANDARD DETAILS
7	DDS-NEW-71220461 C-203	STANDARD DETAILS



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RESOLUTION FOR A FUTURE WITHOUT GAS AND FOR CLEAN HEAT

Councilors Leary, Kalis, Humphrey, Bowman, Downs, Crossley, Greenberg, Lipof, Ryan, Lucas, Kelley, Wright, Norton, and Albright support the following Resolution:

- WHEREAS, we are in a climate emergency that is increasing the social and financial costs of extreme weather damage; the cost of fossil fuels is volatile and rising; and the most effective way to protect the health, public safety and economic security of all members of our community is to stop burning fossil fuels; and
- WHEREAS, the decades-long amortization of extensive, unnecessary, and counterproductive pipe replacement will be a rate burden on those without the assets or authority (e.g. renters) to electrify their homes; and,
- WHEREAS, we want to align our policies and practices with the goals of Newton's Climate Action Plan and the Commonwealth's Climate goals:

NOW, THEREFORE BE IT RESOLVED:

The City of Newton acknowledges the urgency of reducing the enormous cost to ratepayers and risks of our gas infrastructure. Therefore, Newton commits to creating a <u>city-wide plan</u> to equitably achieve optimal efficiencies and reduce emissions and risks by accelerating the retirement of the gas infrastructure through triage and repair of gas leaks and to expedite the electrification of residences and businesses.



REASONS:

- The gas network is old, leaky and increasingly vulnerable to freezing, thawing, and water infiltration from a rising water table and more intense precipitation due to global warming. See <u>City of Newton Climate Vulnerability Assessment and Adaptation and</u> <u>Resiliency Action Plan | Mass.gov</u>
- Hundreds of gas leaks cause at least 8+% of Newton's GHG emissions. We can achieve the biggest reduction in emissions from lost and unaccounted for gas by retiring leaking and leak-prone pipes.



- The intent of the 2014 <u>Gas System Enhancement Program (GSEP)</u> legislation was to reduce emissions and improve safety. National Grid has not achieved those goals; <u>GSEP</u> does not explicitly authorize installing new high pressure, hydrogen ready pipes.
- If National Grid is allowed to implement its plan, Massachusetts will spend an estimated \$40+ billion on pipe replacement that extends the pipeline infrastructure at rate payers' expense long after its useful life rather than funding effective, less costly repairs of gas leaks and retrofitting buildings for clean renewable energy.
- We can avoid squandering these funds on dangerous, wasteful, obsolete fossil fuel infrastructure and instead use them for effective trenchless, durable, as-safe, less disruptive and lower cost pipeline maintenance methods** and to also install solar, networked geothermal and "clustered electrification" (block conversions from gas to heat pumps.)
- It is in the best interest of our families and neighbors to reduce risk of explosion, and fire, to reduce sources of indoor and outdoor air pollution from gas, and to ensure that the utility companies will not introduce fuels blended with <u>hydrogen</u> into the gas distribution pipelines.

Proposal for changes to National Grid's application for Grants of Location for pipeline replacement projects and a City-wide Plan 10/7/22

<u>**Letter to Public Facilities about an alternative, trenchless, durable, as-safe, less disruptive</u> and lower cost alternative pipeline maintenance method 9/17/22

Geohazard Concerns

<u>GSEP At The Six-Year Mark A Review Of The Massachusetts Gas System Enhancement Program</u> (https://www.gastransitionallies.org/gsep)

Letter to Healey's Climate Transition Committee; GTA meeting Thurs Dec 15

Recommendations_from_Gas_Transition_Allies_Strategic_Initiatives_Committee_12-15-22 We hope this document is useful as a beginning place and as a compass to help us row together in the same direction.

Massachusetts Commission on Clean Heat Final Report

FROM: Councilor Alison M. Leary, Chair Public Facilities

TO: City Council

Re: Grants of Location for Methane Gas and the Role of the Public Facilities Committee.

Dear Colleagues,

At the Public Facilities Committee meeting on February 8th, we had a long discussion with National Grid about how decisions are made regarding gas line repair versus replacement and how gas leaks are prioritized. The specific discussion item was **#**546-22 - request for a grant of location (GOL) in Paulson Road which will be before the City Council on Monday evening. With this particular GOL, there are no leaks but there is evidence of water intrusion which has the potential to damage a heating system and result in loss of service. Please refer to the meeting notes for more specifics on water intrusion.

The vote on this GOL (3-2-1) reflects the committees concerns about meeting climate action plan goals while we conduct business as usual by regularly approving thousands of feet of replacement gas mains. At the same time, we have been advised by our law department about the limits of our authority regarding GOL's. Primary regulatory authority is based at the State level with the Department of Public Utilities (DPU).

Critical efforts are ongoing to lobby at the State level to address gas leaks and the barriers to transitioning to clean, renewable energy. Advocates include the Multi-Town Gas Leaks Initiative (whose meetings I attend), Mother's Out Front and the Gas Transition Allies Strategic Initiatives Committee. Priorities include; updating the Gas System Enhancement Program (GSEP), establishing a centralized climate authority in the Governor's office with a structure for stakeholder engagement; prioritizing the decarbonization of buildings and investing in geothermal systems. I am also grateful for Commissioner McGonagle and Mayor's efforts to prod Ngrid to prioritize the repair of the grade 3 Significant environmental impact (SEI) gas leaks (AKA as "super-emitters") But it is a constant battle and we have not made progress on reducing the number of SEI leaks.

What I have heard consistently at the GOL public hearings from both the public and the councilors was a request for a comprehensive, strategic city-wide plan that would allow the city to coordinate work with Ngrid in a more proactive and organized way and facilitate the sharing of information on gas leaks data.

The goals of a comprehensive city-wide gas management plan should include protecting ratepayers from investing in a gas infrastructure system that may obsolete within the next 3 decades. It will also allow the Commonwealth to prioritize public funds towards efficiencies and clean energy, including heat pump technology that can help all communities, including Newton achieve climate goals.

A city-wide plan could include the following:

- Request that Ngrid provides the full map of Newton's gas infrastructure to include the age, material type, condition, pressure and history of each section of pipeline including the methods and materials used in repairs and/or methods and material used for replacements, the location and condition of turnoff valve caps (gate boxes), and other features that affect the safety and reliability of the pipe.
- The map should define and identify leaking pipes (and joints) and leak-prone pipes.
- The map should show Newton's Road construction/paving plans especially in pipelines where there are multiple leaks and/or high-volume leaks of significant environmental impact (SEIs).

A Risk Analysis and Cost Analysis that includes:

- Current pipeline and leak inspection dates and gas leak grades.
- Current date, location and history of each leak repair, the criteria used for maintenance decisions and type of repair or replacement.
- The cost of each proposed pipeline replacement project and the cost of alternative maintenance options including relining and joint repair.
- The cost of lost gas per leak and the cumulative amount of lost gas during the age of the leak, and the emissions reduction achieved when each leak is fixed.





RUTHANNE FULLER

MAYOR

City of Newton, Massachusetts Office of the Mayor Telephone (617) **58+23**

Telefax (617) 796-1113 TDD (617) 796-1089 *E-mail* rfuller@newtonma.gov

PH 4: RECEIVEL FEB -2

February 2, 2023

Honorable City Council Newton City Hall 1000 Commonwealth Avenue Newton Centre, MA 02459

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to appropriate and expend the following amounts to cover the completion of Phase 1 of the City's Phosphorus Control Plan. The City of Newton is required to develop a Phase 1 Phosphorus Control Plan (PCP) by June 30, 2023, to comply with the Environmental Protection Agency (EPA) requirements under the Municipal Separate Storm Sewer System (MS4) Permit. The City has entered into an engineering agreement with Woodard & Curran to develop this phosphorus control plan. Further detail is provided in the attached letter from Jim McGonagle, Commissioner of Public Works.

Acct Description	From Acct #	To Acct #	<u>Amount</u>
Stormwater – Full-time Wages	62A40101-511002	62A40101-539300	\$160,000
Stormwater – Drainage System	62A40101-586004	62A40101-539300	\$120,000

Thank you for your consideration of this matter.

Sincerely,

me Fuller

Ruthanne Fuller Mayor

DEPARTMENT OF PUBLIC WORKS OFFICE OF THE COMMISSIONER 1000 Commonwealth Avenue Newton Centre, MA 02459-1449 Ruthanne Fuller-Mayor January 30, 2023

То:	Maureen Lemieux, Chief Financial Officer Jonathan Yeo, Chief Operating Officer
From:	James McGonagle, Commissioner of Public Works Shawna Sullivan, Deputy Commissioner of Public Works Thomas Fitzgerald, Utilities Director
Subject:	Request to Docket funding in the amount of \$280,000 to complete Phase 1 of the City's Phosphorus Control Plan as required by the Environmental Protection Agency

I respectfully request that the Mayor docket a request with the City Council for an additional \$280,000 to complete the remainder of the tasks included in Phase 1 of the Phosphorus Control Plan. The Department of Public Works is currently working with a consultant as part of the initial contract on the Phase 1 Phosphorus Control Plan.

The City of Newton is required to develop a Phase 1 Phosphorus Control Plan (PCP) by June 30, 2023 to comply with the Environmental Protection Agency (EPA) requirements under the Municipal Separate Storm Sewer System (MS4) Permit. The City is currently entered into an engineering agreement with Woodard & Curran to develop our phosphorus control plan. As anticipated, to complete the plan and required associated tasks, the Department of Public Works is requesting an additional \$280,000 for Woodard & Curran.

The scope of work for the Phosphorus Control Plan is listed below:

- Legal analysis
- Funding analysis
- Phosphorus baseline load updates
- Planned non-structural controls
- Planning of structural controls in the City rights-of-ways
- Operation and maintenance program for structural control measures
- PCP implementation schedule
- PCP estimated implementation costs
- Final Phase 1 Phosphorus Control Plan
- EPA alternate schedule request initiation

Further information and details are available in the attached documents including the December 2022 by the consultant.

Sincerely,

James McGonagle

Commissioner Public Works

MEMORANDUM

Wo

	TO:	Mr. James McGonagle, Commissioner of Public Works Ms. Shawna Sullivan, Deputy Commissioner of Public Works Mr. Thomas Fitzgerald, Utilities Director
Voodard	FROM:	Stephanie Kaiser, Carol Harris, Zach Henderson
Curran	DATE:	November 16, 2022
	RE:	Newton Phase 1 Phosphorus Control Plan (Calendar Year 2023)

This memorandum is intended to provide an overview of tasks necessary to complete Newton's Phosphorus Control Plan, in compliance with the Phase 1 Phosphorus Control Plan (PCP) requirements and associated June 30, 2023, deadline. The Phase 1 PCP is required by the U.S. Environmental Protection Agency (EPA) under the Municipal Separate Storm Sewer System (MS4) General Permit Appendix F.

The City of Newton has begun phosphorus control planning and has already advanced multiple components of the required Plan elements. The PCP tasks outlined in this memorandum are those necessary to advance or refine items already in progress, complete outstanding items and prepare the final Phase 1 PCP in compliance with the requirements. A general description of these tasks and budgetary estimate are provided in this memorandum for the City of Newton's planning considerations. Below are the tasks which have been identified for completion of the Phase 1 PCP.

Legal Analysis – The preliminary Legal Analysis, previously prepared, shall be refined and updated to reflect current information, and more importantly to define potential policy or program changes that may be necessary to advance implementation of the PCP.

Funding Analysis – The primary funding mechanism for the City's support of MS4 programs is the Stormwater Enterprise Fund. As the PCP is advanced and Planned Controls and their implementation costs identified, it is anticipated that the City may want to consider and understand current alternate funding sources that may be available. Additionally, funding sources and eligibility requirements are continuously changing and warrant review on an annual basis. Therefore, available funding mechanisms will be revisited as the PCP is advanced.

Baseline Load Updates - The EPA assigned a baseline load using 2005 land use and impervious data. Since land use and coverage are continuously changing, development changes from 2005-2022 are required to be accounted for as part of the Phase 1 PCP implementation. Therefore, the baseline load and associated reduction requirements need to be recalculated for inclusion in the final PCP.

Planned Non-Structural Controls - As part of the preliminary PCP, previously prepared, the City's non-structural stormwater control practices and frequencies were evaluated to estimate associated phosphorus load reduction resulting from those practices. It is anticipated that the City may desire to enhance their non-structural stormwater control program due to EPA's refinement of allowable leaf litter credits and other comprehensive phosphorus control planning considerations.



Planning of Structural Controls in City Right-of-Ways - The City of Newton has approximately 925 acres of municipal rights-of-way with additional private impervious area, such as driveways, tributary to the public roads. Structural stormwater retrofits in municipal right-of-ways could provide a significant opportunity for phosphorus reduction and are included to be evaluated for inclusion in the Plan.

Operation & Maintenance Program for Structural Control Measures - The Phase 1 PCP requires identification and implementation of an operation and maintenance program for structural control measures credited with reducing phosphorus. Both O&M program implementation for City owned and managed controls as well as the City's approach to documenting O&M of private controls will be incorporated into the Phase 1 PCP.

Phase 1 PCP Implementation Schedule - An implementation schedule of Phase 1 controls is required to be included in the Plan.

Phase 1 PCP Estimated Implementation Costs – Estimated costs to implement Phase 1 are required to be included in the Plan.

Final Phase 1 Phosphorus Control Plan – The City of Newton's Phase 1 PCP will be prepared based on the preliminary Phase 1 PCP and the additional information gathered through these subsequent tasks for submittal to EPA.

Meetings, Outreach and Collaboration – Advancement and finalization of the Phase 1 PCP will require input and collaboration with the City of Newton. Outreach to support public-private collaboration may also be warranted.

EPA Alternate Schedule Request Initiation – Based on a planning level city-wide analysis previously performed, it is understood that the City cannot achieve the long-term permit requirements without incorporating Private BMPs into the Plan. Theoretically, the City may achieve the required 2028 load reduction solely through management of City property; however, this approach is not anticipated to be feasible based on financial and schedule constraints. Given the likelihood that the city will pursue an alternate schedule request after submittal of the Phase 1 PCP, it is recommended that discussions surrounding the challenges and need for the alternate schedule be initiated with EPA prior to and soon after the submittal of the Phase 1 Plan. A budgetary placeholder to initiate and support discussions with EPA is recommended at this time.

The budget of \$405,500 associated with these tasks is provided for your planning purposes. This includes a budgetary placeholder associated with the EPA Alternate Schedule request initiation task, as noted above, and recommended for inclusion at this time. Tasks, their scopes, and associated budget may be refined as the Phase 1 Phosphorus Control Plan and discussions with EPA continue to evolve.

Via Electronic Mail

June 20, 2022



Mr. James McGonagle, Commissioner of Public Works City of Newton Department of Public Works 1000 Commonwealth Avenue Newton Center, MA 02459

Re: Proposal for Professional Engineering Services Phase 1 Phosphorus Control Plan

Dear Mr. McGonagle:

Woodard & Curran, Inc. (Woodard & Curran) is pleased to present our proposal for professional engineering services to continue to assist the City of Newton, Massachusetts (City) with the development of the City's Phosphorus Control Plan (PCP) required by the U.S. Environmental Protection Agency (EPA) under the Municipal Separate Storm Sewer System (MS4) General Permit Appendix F. The preliminary Plan, initiated under prior contract, will be advanced and completed under this scope for submittal to the EPA.

Appendix F of the MS4 General Permit details the requirements of the PCP that includes the following steps to create Phase 1 of a 3-phase plan by the end of the 5-year permit term (June 30, 2023):

- 1-1 Legal Analysis (June 30, 2020)
- 1-2 Funding Source Assessment (June 30, 2021)
- 1-3 Define Scope of PCP (PCP Area) Baseline Phosphorus Load and Phosphorus Reduction Requirement and Allowable Phosphorus Load (June 30, 2022)
- 1-4 Description of Phase 1 Planned Non-structural Controls (June 30, 2023)
- 1-5 Description of Phase 1 Planned Structural Controls (June 30, 2023)
- 1-6 Description of Operation and Maintenance Program for Structural Controls (June 30, 2023)
- 1-7 Phase 1 Implementation Schedule (June 30, 2023)
- 1-8 Estimated cost for Implementing Phase 1 of the PCP (June 30, 2023)
- 1-9 Complete Written Phase 1 PCP (June 30, 2023)

Items 1-1 through 1-4, and 1-9 have been initiated under prior contracts. The PCP scope of services outlined in this proposal will continue to advance and refine items already in progress,

complete the remaining items (1-5 through 1-8), and prepare the final Phase 1 PCP in compliance with the requirements.

SCOPE OF SERVICES

It should be noted that several of these tasks run concurrently and are not necessarily implemented in the order they are presented.

LEGAL AND FUNDING ANALYSES

TASK 1: LEGAL ANALYSIS

A preliminary Legal Analysis was prepared in 2020 to support Phosphorus Control Planning in conjunction with MS4 requirements. Under this task, the preliminary Legal Analysis will be refined and updated to reflect current information, and more importantly to define potential policy or program changes that may be necessary to advance implementation of the PCP. As part of this Task, Woodard & Curran will review new city ordinances, policies, and programs and identify changes to regulatory mechanisms made in support of PCP implementation. Woodard & Curran will also review ordinances, policies, and programs to identify any subsequent changes that may be necessary to support PCP implementation in conjunction with the draft PCP. As part of this Task, W&C will participate in one conference call with City staff to discuss the City's policies, programs, and ordinances. Additional conference calls, if necessary, will be billed under Task 10 Meetings. The Legal Analysis will be prepared in memorandum format and provided to the City for review. One round of City comments will be incorporated prior to inclusion in the PCP.

TASK 2: FUNDING ANALYSIS

As the PCP is advanced, it is anticipated that available funding mechanisms will be revisited in conjunction with development of implementation costs in subsequent tasks. Additionally, funding sources and eligibility requirements are continuously changing and warrant review on an annual basis. The primary funding mechanism for the City's support of MS4 programs is the Stormwater Enterprise Fund. As the PCP is advanced and Planned Controls for Phase 1 Implementation identified, along with costs of implementation, it is anticipated that the City will desire to understand current alternate funding sources for their consideration. Under this Task, Woodard & Curran will perform a funding analysis identifying and documenting funding sources which may be available to assist with implementation of phosphorus reduction controls. It is anticipated that this task will be initiated after preliminary Phase 1 Control planning has been moderately advanced to better inform possible funding mechanisms. W&C's funding team will support development of a financing strategy as part of this Task. Up to three conference calls are included as part of this task; these calls are anticipated to include a discussion of available funding sources, financing strategy and review of the funding analysis. Additional conference calls, if requested, will be performed under Task 10 Meetings. The Funding Analysis will be prepared in memorandum format and provided to the City for review. One round of City comments will be incorporated into the final document, as applicable.

2



PHASE 1 PHOSPHORUS CONTROL PLANNING



TASK 3: PCP UPDATES OF BASELINE LOAD, REDUCTION REQUIREMENT AND ALLOWABLE LOAD

The EPA assigned a baseline load using 2005 land use and impervious data. Since land use and coverage are continuously changing, development changes from 2005-2022 are required to be accounted for as part of the Phase 1 PCP implementation. Changes in EPA Policy and Guidance regarding baseline load are evolving; however, it is anticipated that the baseline load and associated reduction requirement will need to be recalculated for inclusion in the final PCP. For the purpose of this scope, it is assumed that Woodard & Curran will use available data including 2005 impervious cover, 2016 land use, 2021 aerial imagery from MassGIS and the City of Newton impervious cover GIS dataset. 2005 impervious cover data and the City of Newton impervious cover data will be visually compared against 2021 aerial imagery; substantive changes in impervious will be noted for further assessment and calculation. Additionally, parcels where substantive development or redevelopment are noted will be reviewed against 2016 land use data and changes to land use will be documented. This comparison data will be used to document and calculate baseline load and required load reduction changes from 2005 to 2021. Additional load changes between 2021 and 2022 will be reviewed and calculated based on available City permit records. Under this Task, the data and calculations will be documented and provided to the City. As part of this task Woodard & Curran will prepare for and participate in up to three conference calls with applicable City staff to coordinate baseline load data and present updated load calculations. Additional conference calls, if requested, will be performed under Task 10 Meetings. As coordination with EPA evolves and their guidance is finalized, W&C will coordinate with the City if the scope of this Task needs to be modified.

TASK 4: PHASE 1 PLANNED NON-STRUCTURAL CONTROLS

As part of the preliminary PCP, previously prepared, Woodard & Curran coordinated with the City to understand the City's non-structural stormwater control practices and frequencies to estimate associated phosphorus load reduction resulting from those practices. The EPA may refine allowable credits associated with leaf litter collection which could provide more significant credit. Additionally, as the PCP is advanced, the City may desire to enhance their non-structural stormwater control program. Therefore, under this task, Woodard & Curran will refine the Phase 1 existing and planned non-structural control load reductions based on program practices and frequencies agreed to by the City and allowable credits as defined by EPA. It is understood that the City will provide Woodard & Curran with costs reflective of the non-structural control practices for use in PCP planning and documentation. We anticipate up to two discussions with applicable City staff for concurrence of planned non-structural control practices. Documentation of the refinement to non-structural load reductions will be provided. Additional discussions, if needed, will be billed under Task 10 Meetings.

TASK 5: PHASE 1 PLANNED STRUCTURAL CONTROLS

Task 5-1: City-wide High Level Structural Control Retrofit Analysis

Under this task W&C will perform a high-level City-wide analysis of potential phosphorus reduction credits associated with treatment of all City owned impervious area. It is anticipated that this analysis will be conducted as an early planning task to evaluate if the City can achieve



the load reduction requirements (Permit Year 10, 15 and 20) through their own properties, or identify the need/importance of collaboration with private property owners. This information is anticipated to inform project planning, discussions, and outreach. A brief memorandum of the calculations and findings will be provided. Discussion of the findings is anticipated to occur in conjunction with meetings with the City regarding planned structural controls, a stand-alone conference call is not anticipated to be necessary.

Task 5-2: Planned Structural Controls at City Properties

As part of the preliminary PCP planning, Woodard & Curran identified 11 stormwater BMPs either constructed (9) or planned to be constructed (2) at City owned properties. There are approximately 205 City properties with impervious coverage on-site. We recommend reviewing all City properties containing impervious coverage for potential structural stormwater BMP retrofits. As part of this task W&C will perform a desktop review of up to 205 parcels containing impervious area. The desktop review will include review of available GIS data layers, NRCS soil mapping, existing stormwater infrastructure plans and site plans (if available) and other available information. For the purpose of this scope, it is anticipated that approx. 50% of the properties (up to 100 properties) are found to be suitable for retrofit. The properties anticipated to be suitable for retrofit will be discussed with the City for the City's insight and input, prior to advancing further assessment.

In addition to City owned properties containing impervious coverage, it is anticipated that untreated impervious area discharges to, through or adjacent to City owned properties. Under this task, Woodard & Curran will also review up to 50 City parcels which may contain stormwater discharge from untreated off-site area. These City parcels may be undeveloped (not contain impervious on-site) or may be sites which also contain impervious being reviewed above. It is anticipated that up to 25 City properties (approx. 50%) will be found suitable for retrofit to treat runoff from off-site impervious area. Treatment potential for sites which contain both on-site impervious and untreated discharge from off-site will be reviewed comprehensively, with a single approach planned for the site addressing all viable treatment.

Woodard & Curran will document, in tabular format, possible retrofit locations, associated credit potential, costs, and recommendations for prioritization and next steps. Up to 125 City owned properties will be documented based on suitability for retrofit determined above (including both management of on-site impervious treatment and treatment off off-site impervious). EPA tools (Opti-tool and BATT) will be used to assess credit potential and order of magnitude costs. As part of this task Woodard & Curran will refine, on a unit cost basis, the costs developed using Opti-tool; refinement of costs will be based on our experience with implementation of similar BMPs.

The retrofit table is intended to be used in the final Phase 1 PCP plan. Supplemental sitespecific data sheets may be developed, as needed to supplement the tabular data. Structural stormwater retrofit type envisioned for each property is anticipated to vary based on site conditions and engineering judgement; however, W&C will attempt to maximize phosphorus reduction credits.

Documentation of the City property structural retrofit analysis, will be provided to the City, including analysis of both City owned parcels with impervious area as well as undeveloped parcels which experience discharge of untreated off-site impervious. Up to three conference

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calls with applicable City staff are included to facilitate and coordinate the analysis of structural controls on City parcels. Additional discussions, if necessary, will be performed under Task 10 Meetings.

Task 5-3: Planned Structural Controls in City Right-of-Ways

The City of Newton has approximately 925 acres of municipal right-of-ways. It is assumed that significantly greater impervious area drains to City owned catch basins via private driveway curb cuts and other private impervious coverage. Structural stormwater retrofits in municipal right-of-ways could provide a significant opportunity for phosphorus reduction. Under this task, Woodard & Curran will perform a desktop analysis of City right-of-ways for BMP retrofits. Desktop analysis will review items including, but not limited to slope, NRCS soil type and parcel data in conjunction with mapped utility infrastructure information. It is anticipated that the analysis will focus on various types of roadways, such as local, collector, and arterial streets. Up to three structural stormwater BMP retrofit systems will be assessed for each road type, with roadway grade considered relative to potentially viable BMPs. Up to 9 viable roadway BMP scenarios may be identified. It is anticipated that a BMP matrix will be developed identifying BMPs based on various roadway conditions. Again, maximization of phosphorus reduction will be prioritized when assessing viable BMPs. Based on this desktop assessment, Woodard & Curran will document, in tabular format, possible retrofit locations, associated credit potential ranges, costs, and recommendations for prioritization and next steps. Again, EPA tools (Optitool and BATT) will be used to assess credit potential and order of magnitude costs. Woodard & Curran will refine, on a unit cost basis, the costs developed using Opti-tool; refinement of costs will be based on our experience with implementation of similar BMPs. The retrofit table is intended to be used in the final Phase 1 PCP plan. Supplemental roadway-specific data sheets may be developed, as needed to supplement the tabular data.

Documentation of the City right-of-way structural BMP retrofit analysis, will be provided to the City. Two conference calls with applicable City staff are included to facilitate and coordinate the analysis of structural controls within City right-of-ways. Additional discussions, if necessary, will be performed under Task 10 Meetings.

Task 5-4: City Property Site Visits (Optional Service)

If requested, as an optional service, W&C will perform site visits of properties deemed viable for stormwater retrofits in Task 5-2 above, to confirmation suitability. Properties selected for site visits are anticipated to be based on elements identified during the Task 5-2 assessment such as priority, credit potential, anticipated site constraints/complications, or other factors. Woodard & Curran will coordinate with the City for concurrence prior to initiating site visits. Site visits are anticipated to include both City owned properties containing impervious coverage as well as City properties to which untreated impervious area discharges. It is assumed, for the purpose of this scope, that site visits will be performed for approximately half of the properties deemed suitable for retrofit; up to 75 site visits are included in this task.

Task 5-5: City Property Schematic Plans (Optional Service)

As another optional service, Woodard & Curran, if requested, will prepare schematic level structural stormwater retrofit plans for up to 75 City properties, approximately half of those deemed suitable for retrofit in Task 5-2. It is anticipated that W&C will review the properties



planned for schematic design with the City, for concurrence, prior to advancement of schematic design. Associated phosphorus reduction credit and cost will also be refined for each of the properties where schematic plans are developed. Information prepared as part of this additional service would be included in the final Phase 1 PCP plan.

Task 5-6: City Right-of-Way Site Visits (Optional Service)

As an optional service, if requested by the City W&C will perform field visits to review up to 15 anticipated right-of-ways for suitability of schematic design.

Task 5-7: City Right-of-Way Schematic Plans (Optional Service)

As another additional service, if requested by the City, W&C will prepare schematic BMP retrofit plans for up to 15 right-of-ways. Right-of-ways considered for schematic design will be discussed with the City, for concurrence, prior to advancement of schematic design. Associated anticipated phosphorus reduction credit and costs will also be refined for each of the right-of-ways where schematic plans are developed. Information prepared as part of this additional service would be included in the final Phase 1 PCP plan.

Task 5-8: Data Gap Analysis (Optional Service)

Under this task, as an optional service, if requested by the City, Woodard & Curran will continue to work with the City to identify existing creditable structural stormwater control measures, aka BMPs, and document associated phosphorus credits. It is anticipated that various Special Permit projects, Comprehensive Permit projects and Administrative Site Plan approval projects will continue to be reviewed as part of this task. Woodard & Curran anticipates reviewing most currently available data first, subsequently working back in time to older development projects. Work under this task may also include select review of single family residential BMPs to assess applicability of assigning average per lot credits which may be applied Citywide. It is anticipated that the City will continue to provide W&C with files for review. If requested, W&C will assist the City with data compilation and coordination of City files as part of this task. A budgetary allowance is provided for this task; files and associated credits will continue to be reviewed and updated as available and budget allows. It is understood that a targeted approach is anticipated in an effort to maximize crediting.

Task 5-9: Documentation and Mapping of Existing BMPs (Optional Service)

This task will be performed, if requested by the City, as an optional service. Confirmation and documentation of existing BMPs for crediting will be performed under this Task. We understand that the City Engineering Department performs construction inspections during installation of structural stormwater BMPs and that in many instances photographs and as-built plans are available. However, EPA requires verification and maintenance of existing stormwater BMPs to accept their calculated phosphorus reduction credit. As such, W&C recommends performing targeted site visits to visually observe BMPs and obtain available maintenance and inspection records from owners, if available. This field work will also provide for initial outreach to property owners and maintenance companies regarding the importance of stormwater maintenance. BMP inspections are not included as part of this scope.

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During the previously performed data gap analysis, 38 non-residential and 23 residential properties were identified as creditable. As part of this task W&C will perform site visits at up to 50 properties to observe stormwater BMPs. Properties targeted will include non-residential private properties as well as larger residential properties such as assisted living facilities and apartment complexes. Single family residential properties will not be visited as part of this scope. A notification and information sheet will be developed for the City's review. It is anticipated that the City will perform notification, but W&C will coordinate scheduling the visit directly with the property representatives. Documentation of our findings from the site visits, including photographs, GPS field location of BMP, maintenance/inspection records obtained, and field notes (as applicable) will be provided to the City.

Based on discussion with Engineering, it is anticipated that the City GIS department is able to document stormwater BMPs in the City's GIS system, and link BMP locations with applicable permits to identify stormwater features at the location. Under this task, Woodard & Curran will provide a list of BMPs used in phosphorus crediting for the City's incorporation into GIS. It is anticipated that Woodard & Curran will prepare a map/figure documenting locations of credited stormwater BMPs for use in the Phase 1 PCP after the City's GIS database updates. It is understood that W&C will have access to the City's GIS software for map creation. For the purpose of this scope, it is anticipated that a preliminary list will be provided mid-project and a revised final list will be provided after data gap analysis has concluded. Two conference calls to review and discuss the GIS mapping and feature tracking are anticipated to be performed under this task. Additional discussions and coordination of future/on-going GIS data management and mapping may be warranted and will be performed under Task 10.

TASK 6: STRUCTURAL CONTROL OPERATION AND MAINTENANCE PROGRAM

The Phase 1 PCP requires identification and implementation of an operation and maintenance program for structural control measures credited with reducing phosphorus. This task includes work associated with documenting O&M procedures for existing structural BMPs at City properties as well as developing O&M programs for planned structural BMPs at City properties and roadways. Under this task, W&C will also prepare preliminary opinions of probable maintenance costs associated with proposed City structural BMPs. This information will be provided to the City for review and comment and will be used to support other components of the PCP.

As the project anticipates phosphorus reduction credits from private BMPs, documentation of compliance with the O&M performance standards of the general permit for privately owned and maintained BMPs will also be required. Woodard & Curran will coordinate with the City to understand how this private maintenance is currently tracked and to understand the City's preferred approach to document this information in the future, for W&C's incorporation into the Phase 1 PCP. Considerations may include use of City permit software, assigning City staff tracking responsibilities, private property owner fines or stormwater fee credits tied to maintenance records, regulation changes and/or other methods. It is understood that the future tracking processes would also be implemented for City owned/operated systems.

Up to three conference calls with applicable City staff to identify existing procedures for City tracking of private and public maintenance, garner concurrence of O&M procedures to support planned Phase 1 structural controls and discuss future O&M tracking policies and procedures

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will be performed under this task. Additional meetings, if necessary, will be performed under Task 10 Meetings.

Additionally, Newton has a significant number of private single family home stormwater BMPs. Woodard & Curran anticipated coordination with EPA under Task 10 Meetings, to garner EPA concurrence on O&M requirements for these systems to be creditable.

PHASE 1 PHOSPHORUS CONTROL IMPLEMENTATION

TASK 7: PHASE 1 PCP IMPLEMENTATION SCHEDULE

An implementation schedule of Phase 1 controls is required to be included in the Plan. Under this Task W&C will develop an implementation schedule based on the controls identified for Phase 1. It should be noted that the City's phosphorus load reduction is significant, and the Phase 1 reduction is anticipated to be difficult to achieve the Phase 1 Year 8 (2026) and Year 10 (2028) requirements. Under this task W&C will review two schedule approaches, one that identifies what is necessary to achieve the required schedule, and one that is anticipated to be a practical representation of achievable schedule based on standard design, bid, build procedures. These schedules will be reviewed and discussed with the City. The approach for material to be presented to EPA in the Phase 1 PCP will be discussed and schedule(s) revised as needed.

TASK 8: PHASE 1 PCP IMPLEMENTATION ESTIMATED COSTS

Estimated costs for Phase 1 implementation will be identified as part of this task. It is anticipated that this task will build off costs developed in conjunction with planned structural controls, non-structural control costs, and O&M program costs. The Phase 1 implementation cost will be developed using planned structural and non-structural controls agreed by the City for incorporation into the plan, in conjunction with other applicable considerations. Similar to the Phase 1 schedule, Phase 1 estimated implementation costs will be assessed based on what is anticipated to be necessary to achieve the Phase 1 reduction as well as what is anticipated to be practical based on typical design, bid, build schedules. The two planning level cost estimates will be provided to the City for discussion prior to inclusion in the Phase 1 PCP. One meeting to review the cost estimates with the City will be performed under this task.

PHASE 1 PHOSPHORUS CONTROL PLAN

TASK 9: FINAL PHASE 1 PHOSPHORUS CONTROL PLAN

Using the information prepared under this scope of work, in conjunction with documents previously prepared, Woodard & Curran will refine and complete the Phase 1 Phosphorus Control Plan for submittal to EPA. As part of this scope, applicable sections of the preliminary PCP will be revised and others advanced. It is also anticipated that Appendices will also be revised and added to support applicable documentation of the report. It should be noted that interim data and memorandums associated with other scope tasks will be prepared and provided to the City. This information will be the basis of the final report. It is not anticipated that as-built plans or other documentation of existing creditable structural BMPs will be required by EPA, simply that record information is available at the City will satisfy EPA. Woodard & Curran will provide a draft of the final report to the City for review and comment. One round





of revisions will be incorporated into the final document. Under this task, W&C will participate in one meeting with the City to discuss the draft report and obtain comment from the City prior to finalization. Additional meetings, if necessary, will be performed under Task 10 Meetings.

MEETINGS, OUTREACH AND COLLABORATION

TASK 10: MEETINGS AND ADDITIONAL SERVICES

Under this task, appropriate Woodard & Curran staff will prepare for and participate in meetings and conference calls with City staff to support advancement of the Phase 1 PCP. Meetings with the City DPW PCP team to review project topics and progress will be billed under this scope; task specific discussions to facilitate the individual tasks will be billed in association with the relevant task. Meetings anticipated with the City DPW PCP team, to be billed under this task include:

- A meeting to review legal and funding (collectively).
- A meeting to discuss non-structural controls.
- A meeting to discuss structural controls on city parcels and roadways.
- A meeting to discuss the Operation and Maintenance program(s).
- A meeting to discuss implementation costs and schedules (collectively).
- A meeting to review the final draft of the PCP.

We will also collaborate with EPA regarding Policies and Guidance, advocating for the City of Newton. This collaboration is anticipated to include baseline load discussions in addition to leaf litter credits, and regional waterbody management opportunities, among other topics.

Under this task, if requested by the City and as budget allows, W&C will also support the City with outreach and workshops. This outreach is anticipated to support both internal City interdepartment coordination as well as public-private collaboration. As the City is aware, collaboration and public-private partnerships are anticipated to be vital in achieving the Phase 1 PCP reduction requirements. W&C will prepare for and participate in meetings or workshops to support City outreach. If requested, Woodard & Curran will also prepare presentation materials to support outreach as part of this scope. Materials may include PowerPoint presentations, handouts or other materials to support the City's goals.

ALTERNATE SCHEDULE REQUEST

TASK 11: EPA ALTERNATE SCHEDULE REQUEST INITIATION (Optional Service)

Under this task, Woodard & Curran has allocated a budgetary allowance for initiation of an Alternative Schedule Request. Based on the preliminary PCP, previously prepared, it is anticipated that the required Phase 1 load reduction and schedule will be challenging for the City. Regulatory requirements dictate that the PCP be submitted, prior to a request for an alternate schedule; however, it may be advantageous for the City to advance this scope concurrently with the final Phase 1 PCP. As such, we have included this task for coordination and initiation of an alternative schedule request. Work will not be performed under this task without authorization from the City.



FEE BUDGET

For the Scope of Services listed above, we recommend that you budget between \$695,000 and \$953,000 based on services to be performed. The services described in this proposal will be provided and invoiced monthly on a Time and Materials basis in accordance with our current rate table at the time of service. Monthly invoices will be submitted for the services completed during the previous billing period and will include a summary of services provided during the invoice period. The proposed budget for this scope of services is summarized below:

Task	Scope Description	Scope Budget	Optional Scope Budget
1	Legal Analysis	\$20,000	
2	Funding Analysis	\$20,000	
3	Baseline Load Updates	\$95,000	
4	Planned Non-Structural Controls	\$17,500	
5-1	City Wide High Level Structural Control Retrofit Analysis	\$10,000	
5-2	Planned Structural Controls at City Properties	\$280,000	
5-3	Planned Structural Controls in City Right-of-Ways	\$90,000	
5-4	City Property Site Visits (Optional Service)		\$27,000
5-5	City Property Schematic Plans (Optional Service)		\$95,000
5-6	City Right-of-Way Site Visits (Optional Service)		\$5,500
5-7	City Right-of-Way Schematic Plans (Optional Service)		\$20,000
5-8	Data Gap Analysis (Optional Service)		\$60,000
5-9	Documentation and Mapping of Existing BMPs (Optional Service)		\$40,000
6	Structural Control Operation and Maintenance Program	\$35,000	
7	Phase 1 PCP Implementation Schedule	\$25,000	
8	Phase 1 PCP Estimated Implementation Costs	\$22,500	
9	Phase 1 PCP Plan	\$30,000	
10	Meetings	\$50,000	
11	EPA Alternate Schedule Request Initiation (Optional Service)		\$10,500
	Base Scope Task Budget	\$695,000	
	Optional Scope Task Budget		\$258,000
	Total Scope Budget	\$953	,000

The proposed budget is based on the Scope of Services outlined in this proposal. If the project assumptions used in developing this proposal should change, or services beyond those identified herein are requested, an Amendment would be prepared for the additional services for your review and approval.

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SCHEDULE



Woodard & Curran will begin work upon written authorization to proceed. It is anticipated that the project will be completed by June 30, 2023.

TERMS & CONDITIONS

The Terms and Conditions will be per the executed Agreement for Engineering Services between the City of Newton, Massachusetts and Woodard & Curran.

Please review this proposal and if it is acceptable to you, an Agreement for Engineering Services will be prepared for signatures by the City of Newton.

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Sincerely,

WOODARD & CURRAN, INC.

David a White

David A. White Sr. Vice President | National Practice Leader

Carol a. Hanis

Carol A. Harris

Vice President | Senior Client Manager

SK

cc: Shawna Sullivan, City of Newton Zach Henderson, Stephanie Kaiser, Woodard & Curran, Inc.

PN: 0233351.01



TODAY'S GOALS

- Brief stormwater compliance program review
- ✓ Accomplishments to date
- Clean Charles River Initiative: Phosphorus Control Plan update
- ✓ What's next?

Newton's Municipal Stormwater (MS4) Permit Program Updates

Presentation to Public Facilities Committee



Why Are We Here?

- Municipal Separate Storm Sewer (MS4) General Permit reissued by EPA in 2016 and became effective July 1, 2018
- This federal Clean Water Act permit requires multi-faceted municipal implementation – Utilities, Planning, Operations, Engineering, GIS-Information Technology, Communications – It Takes a Community!
- Requirements are very challenging and we need everyone to understand the implications and needs.



Nationwide Stormwater Permitting Programs

- Construction General Permit (CGP): Runoff from >1 acre soil disturbance
- Industrial Multi-Sector General Permit (MSGP): Runoff from Industrial Facility per SIC Code
- Municipal MS4 General Permit





What is an MS4?

A Municipal Separate Storm Sewer System is:

- A conveyance or system of conveyances owned by a state, city, town, or other public entity that discharges to waters of the U.S and is:
 - Designed or used for collecting or conveying stormwater
 - Not a combined sewer
 - Not part of a publicly-owned treatment works



Newton's MS4

Drainage System Facts:

- 320 miles of stormwater drainage pipe
- 12,750 catch basins
- 5,852 of Manholes
- 2 pump stations
- 183 exterior outfalls/interconnections
- 201 Interior outfalls
- 14 miles of streams
- Ditches and Swales as well...





What is the MS4 General Permit?

Clean Water Act requires EPA to regulate any discharges from the MS4 based on 1987 Amendments to the Act

- The MS4 general permit is based on development density and population
- ~260 Municipalities Covered in MA
- In most states, the state administers this permit
 MA is EPA regulated
- Every five years a new permit is drafted and issued (in theory)
- Each permittee is required to develop a 5-Year Stormwater Management Plan consistent with the general permit
- Currently in "Permit Year 5"





Municipal Stormwater Compliance

Six Primary Control Measures



Newton's Accomplishments to Date

MS4 Program Highlights

- ✓ On-going social media, Green Cart, stormwater webpage, pet licensing, and paper flier educational materials developed and disseminated.
- ✓ Over 80% of the City's stormwater drainage system investigated for illicit discharges.
- ✓ Hundreds of site plans reviewed annually for compliance with construction erosion control and stormwater control policies.
- ✓ Thousands of construction site inspections annually.
- ✓ Ongoing street sweeping, leaf litter and catchbasin cleaning programs. Over 1500 tons of material swept from streets annually!



Nutrients as a Pollutant



Health Officials Warn Of Blue-Green Algae Bloom in Charles River

August 31, 2016 2:45 PM





Clean Charles River Initiative

- Reduce Phosphorus in discharges through strategic planning and implementation
- 1995: EPA New England launched the Clean Charles initiative.
- The EPA and MassDEP established Total Maximum Daily Load (TMDL) for all discharges
 - > 2007, Final TMDL for Nutrients in the Lower Charles River Basin (Lower TMDL)
 - 2011, TMDL for Nutrients in the Upper/Middle Charles River (Upper TMDL)
- TMDL Requirements:
 - Phosphorus WWTF discharge limits for summer/winter at 0.1/0.3 mg/L
 - > Stormwater phosphorus reductions are significant!



Nutrient Load Reduction Requirements

- The MS4 General Permit defines stormwater load reduction targets for individual communities
- 34 regulated communities will be required to meet the Load Reduction Requirement by 20% in the first eight years of the permit term (2026)...and by 25% in the first ten years (2028)



Newton's Phosphorus Control Plan Obligations

- Priority ranking of areas and infrastructure for the implementation of stormwater quality control facilities
 - Establish O&M program for those structural controls
 - Identify non-structural stormwater controls that will support the reduction of phosphorus loading





Phosphorus Control Planning Schedule

- Developing a multi-phase plan to achieve TMDL goal.
- Reduce Total Phosphorus from stormwater discharges by 61% or 5,214 lbs by 2038 (Phase 1, 2 and 3 PCP).



Phosphorus Control Plan Status

- Currently accounting for anticipated benefits of nonstructural controls (street sweeping and leaf litter clean up)
- Identifying potential opportunities to account for existing public and private stormwater controls
- Current projections are that existing "controls" only account for about 1/3 of Permit Year 8 target and 1/4 of Permit Year 10 target



Phosphorus Control Needs?

- About 1,000 lbs of phosphorus will still need to be targeted for removal through new stormwater control retrofits and non-structural pollution prevention programs on public and private properties to meet Year 10 requirements.
- Close to 4,750 lbs to meet Year
 20 requirements.



What Does Comprehensive Stormwater Retrofitting Look Like?





What are the Benefits of Comprehensive Stormwater Retrofitting?

			Runo	ff Redu	iction						Peak Redu	Flow	Impro Biological	oved W Treatment	ater Qu Physical	Jality Filtration
 Primary Function Secondary Function Incidental Additional Benefit 		Rain Garden	Rainwater Harvesting Residential	Rainwater Harvesting Commerical Industrial	Green Roof	Permeable Paving	Street Trees	Biorententior Cell	Infiltration Structure	Vegetated Detention Basin	Wet Pond	Constructed Wetland	Vegetated Swale	Sand Filter	Filter Strip	
1	suc	Retention	٠		•	•	•	•	•	•	\diamond	\diamond	\diamond	\diamond	\diamond	\diamond
0115 ater	nctio	Infiltration	•	\diamond	\diamond		•	\diamond	•	•	\diamond		\diamond	\diamond	\diamond	\diamond
	ΥFU	Detention	\diamond			\diamond		\diamond	\diamond	\diamond	•	\diamond	\diamond	\diamond		\diamond
Stor	Quantit	Evapotranspiration	\diamond	\diamond	\diamond	•		•	•		\diamond		•	•	\diamond	\diamond
1	ons	Sedimentation	•	\diamond	\diamond		\diamond		\diamond		•	•	•	•	•	•
ter <	nctio	Filtration	•	\diamond	\diamond	•	•	\diamond	\diamond		\diamond		•	\diamond	•	•
- Mu	Y.Fu	Removal	\diamond	\diamond	\diamond				\diamond		\diamond		•	•		•
Stor	lalit	Extended Treatment Chemical	\diamond			\diamond					\diamond	\diamond	•	\diamond	\diamond	
1	ŏ	Extended Treatment Biological	•			•		•	\diamond		\diamond	\diamond	•	•	•	\diamond
S	S	Supports Wildlife Habitat	+			+		+	+		+	+	+	+		+
efit	Improves Appearance of Outdoor Spaces		+	+	+	+	+	+	+		+	+	+	+		+
ene	М	litigates Climate Impacts	+				+	+	+		+	+				
õ		Improves Air Quailty	+			+		+	+				+	+		+
ity	In	creases Pervious Surface				+	+	+	+	+	+	+	<u> </u>		+	
Jur	Cr	eates Runoff Storage for Alternative Uses		+	+					+						
μu	Provid	des Educational Opportunities	+		+	+	+	+	+	+	+	+	+	+		+
ō		Extends Open Space				+			+		+	+				
	C	reates Comfortable Outdoor Areas [Temp. Control]	+			+		+	+		+	+		+		



What are the Benefits of Comprehensive Stormwater Retrofitting?





Where Are We Looking for Retrofit Opportunities?





Creating a Holistic Urban Clean Water Strategy



In Summary

- Excellent progress on most stormwater permit obligations!
- PCP Phase 1 Completion June 2023
- Continued financial support for operations, program and capital investment
- Integration of community economic and community development vision with clean water programs will reduce costs and accelerate progress on Clean Charles Initiatives





Questions / Discussion THANK YOU!

Newton's Municipal Stormwater (MS4) Permit Program Updates

Presentation to Public Facilities Committee

