



# Department of Environmental Protection

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Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Matthew A. Beaton  
Secretary

Martin Suuberg  
Commissioner

July 22, 2016

Dear Connecticut Basin Water Management Act Permittees:

I am writing to update you on developments that impact the renewal process for your Water Management Act (WMA) permit.

### The Permit Extension Act

As outlined in the letter sent to you on September 15, 2012, the Permit Extension Act (PEA), enacted in 2010 and subsequently amended in 2012, automatically extended all WMA permits.

- In the Connecticut Basin, the 2010 PEA's provisions extended the term of WMA permits from November 30, 2013, to November 30, 2015, and the 2012 amendment further extended the term of all permits for an additional two years until November 30, 2017.
- Permit renewal applications must be filed between September 30, 2016, and November 30, 2016.

Pursuant to M.G.L. c. 30A, section 13, and 310 CMR 36.18(7), if your permit renewal application is filed by November 30, 2016, your current permit will continue in force and effect until the Department issues a decision on your renewal application. Your renewal application will be reviewed in accordance with the newly amended WMA regulations, which are outlined below.

### Revisions to the Water Management Program Regulations at 310 CMR 36.00

From 2010 to 2014, MassDEP participated in a stakeholder process known as the Sustainable Water Management Initiative (SWMI). SWMI was started in 2010 by the Executive Office of Energy and Environmental Affairs (EEA) for the purpose of incorporating the best available science into the management of the Commonwealth's water resources. The SWMI process is now complete and, effective November 7, 2014, MassDEP has adopted revised WMA Program Regulations at 310 CMR 36.00 that incorporate important elements of the SWMI framework. The regulations can be found at:

<http://www.mass.gov/eea/agencies/massdep/water/regulations/310-cmr-36-00-the-water-management-act-regulations.html>.

The regulations reflect a carefully developed balance to protect the health of our water bodies while meeting the needs of businesses and communities for water. The amended regulations also clarify WMA permitting requirements and processes. The amended WMA regulations incorporate:

- a new methodology for calculating "safe yield" of the 27 major river basins in Massachusetts;

- “streamflow criteria” and “coldwater fish resources” that will be used to identify environmental conditions within river subbasins;
- 2003-2005 “baseline” water withdrawals ;
- “permit tiers” determined according to the size of each permittee’s withdrawal relative to their baseline and potential impact on streamflow criteria and coldwater fish resources;
- “mitigation” to offset increasing withdrawals by improving streamflow or aquatic habitat; and
- “minimization” to protect streamflows in subbasins that are net groundwater depleted during August.

Permit Renewal Schedule

In order to introduce the revised permitting process and new regulatory requirements that might apply to permits in the Connecticut Basin, MassDEP will be holding an outreach workshop.

**Water Management Permit Renewal Outreach Workshop**  
**Thursday, September 22<sup>nd</sup>, 2016, 10:00 a.m. to 12:00 p.m.**  
**Northampton Water Filtration Plant**  
**137 Mountain Street**  
**Haydenville, MA 01039**

In addition, MassDEP will be available for individual consultation sessions as needed before and after the application filing date. The attached schedule outlines the permit renewal process in more detail.

Please contact Duane LeVangie at (617) 292-5706 at the MassDEP Boston Office, or Jim Bumgardner (413) 755-2270 and Kim Longridge (413) 755-2215 at the MassDEP WERO Office, if you have any questions regarding the status of your permit or the effect of the Permit Extension Act.

Sincerely,



for  
 Rebecca Weidman  
 Director of the Division of Watershed Management  
 Bureau of Water Resources

Y:\DWPWMA\Permit Renewal Outreach Meetings\Connecticut\Connecticut-WMA Permit Wkshp Ltr-2016-7-22

cc: J. Bumgardner, MassDEP WERO  
 K. Longridge, MassDEP WERO  
 A. Carroll, DCR OWR  
 M. Craddock, DFW  
 A. Kautza, DFW  
 J. Pederson, MWWA  
 J. Blatt, Mass Rivers Alliance  
 WMA Advisory Committee

<b>MassDEP Water Management Program Permit Renewal Schedule Connecticut Basin</b>						
<b>Water Needs Forecasts</b>	<b>Outreach Workshop</b>	<b>Permit Renewal Filing Period</b>	<b>Consultation Sessions</b>	<b>MassDEP Sends Request for Additional Information</b>	<b>Draft Permit Issued</b>	<b>Final Permit Issued</b>
<b>Summer 2016</b>	<b>September 22, 2016</b>	<b>September 30 – November 30, 2016</b>	<b>Starting September 2016</b>	<b>Following Consultation Sessions</b>	<b>2018</b>	<b>2018</b>
Department of Conservation & Recreation/Office of Water Resources staff will be reviewing population and water withdrawal data, and may be contacting your community to prepare water needs forecasts.	MassDEP will conduct an Outreach Workshop on: <ul style="list-style-type: none"> <li>the SWMI process</li> <li>information required to complete the permit renewal application process</li> <li>consultation process with applicants to develop the required information.</li> </ul>	Initial permit renewal applications are filed. <ul style="list-style-type: none"> <li>Initial application will be supplemented by information developed through consultation and the Request for Additional Information.</li> </ul>	MassDEP and state agency staff meet at the applicant's request to consult on any aspect of permit renewal including projected demand, fisheries protection, minimization or mitigation requirements.	MassDEP will send an individual "Request for Additional Information" needed to complete each permit renewal application. Applicants will have 90 days to develop the necessary information, and may request additional time if, despite reasonable efforts, additional time is needed.	MassDEP will issue draft renewal permits for a 30-day public comment period.	MassDEP will issue final permit renewals for the Connecticut Basin.