THE COMMONWEALTH OF MASSACHUSETTS

WATER RESOURCES COMMISSION

100 CAMBRIDGE STREET, BOSTON MA 02114

Meeting Minutes for July 10, 2008

Minutes approved May 14, 2009

Members in Attendance:

Vandana Rao	Designee, Executive Office of Energy and Environmental Affairs
Marilyn Contreas	Designee, Department of Housing and Community Development
Jonathan Yeo	Designee, Department of Conservation and Recreation
Dave Terry	Designee, Department of Environmental Protection
John Lebeaux	Public Member
David Rich	Public Member
Bob Zimmerman	Public Member

Others in Attendance:

Michele Drury	DCR	Daniel Garson	Woodard & Curran
Linda Hutchins	DCR	Hunt Durey	CZM-WRP
Sara Cohen	DCR	Lee Azinheira	Town of Mansfield
Erin Graham	DCR	Joanna Carey	DFG/Riverways
Marilyn McCrory	DCR	Kurt Gaffney	Town of Mansfield
Anne Monnelly	DCR	Karen Pelto	EEA – MA NRD Program
Eileen Simonson	Guest	Jennifer Pederson	Massachusetts Water Works Assn.
Mary S. Booth	WSCAC	Jeannette Delva	CDM

Agenda Item #1: Executive Director's Report

In Baskin's absence, Yeo chaired the meeting. Introductions were made, as usual. Rao reported that Scott Horsley had resigned as a commissioner. The Governor recently signed the energy bill. It is hoped that this will provide an incentive to purchase appliances that are not only energy efficient, but also water efficient. Simonson introduced her replacement as executive director of the Water Supply Citizens Advisory Committee (WSCAC), Mary Booth. Pederson requested that the process for replacing Horsley be open.

Hutchins provided an update on the hydrologic conditions for the month of June. Precipitation was above normal statewide; ground water levels were normal statewide. Surface water runoff over all the state was mostly normal, except for a small portion in north central Massachusetts which had below normal streamflow and southwest Massachusetts that had above normal streamflow. Reservoir levels are at normal levels for this time of year. The seasonal drought outlook shows no expected drought in the near future. No serious rain is predicted for the next few days, but there may be a few showers.

Monnelly updated the Commission on water needs forecasting. Staff are developing forecasts for 17 public water supply systems in the Blackstone River basin and 16 public water supply systems in the Charles River basin. A notice was published in the Environmental Monitor. Public meetings will be held on September 10th in the Blackstone basin and September 9th in the Charles. Final projections are due on September 22nd. Applications for Water Management Act permits can be sent to DEP starting in November 2008.

Agenda Item #2: Vote on the Minutes of January 2008

Yeo invited motions to approve the meeting minutes for January 2008.

VOTE	A motion was made by Lebeaux with a second by Contreas to approve the meeting minutes for January 2008 The vote to approve was unanimous of those present.

Agenda Item #3: Vote to reduce the Frequency of Manual Monitoring at the Morrison Well in Mansfield

Drury introduced representatives from Mansfield. Hutchins reviewed the 2000 Interbasin Transfer Decision and the reasons and requirements for the monitoring. Morrison Well #10 was approved in 2000 for an interbasin transfer of 0.99 mgd. The well is located in the headwaters of a small (three square miles) drainage basin, which normally would not support a well of this size. It is also a few hundred feet from an Atlantic white cedar swamp in the town of Mansfield and south of Witch Pond, in the Bungay Brook subwatershed of the Ten Mile River basin. Issues considered in the review and approval included rare and endangered species that are obligate to the cedar swamp. To maintain the habitat for these species, requirements are a near-surface water table and peaty wetland soils, seasonal inundation to keep out competing tree species, and nectar sources for the Hessel's Hairstreak butterfly – one of the rare species.

After a thorough hydrologic analysis, it was determined that there is underflow from Lake Mirimichi to the north, across the surface water divide. In this instance, the surface water basin boundary does not act as a ground water divide. Water then flows out of Witch Pond into Bungay Brook, south towards Route 95. There is a bedrock lip near Route 95. There is also a silt and peat layer that isolates the swamp from the underlying aquifer. Based on these conditions, Staff was able to recommend approval of the interbasin transfer. It was thought that the peat level would provide a buffer to prevent an unacceptable hydrologic impact from this well. However, it was unknown how the swamp would react under long-term pumping conditions. So the approval was conditioned with thresholds to protect the hydrologic gradient in the swamp. Baseline monitoring was required to determine natural (non-pumping) conditions in the swamp. Operational monitoring with thresholds to reduce and cease pumping to limit impacts to the swamp, was required once the well was on-line.

Hydrologic and vegetative monitoring began 2001. Five years of monitoring have been completed. Mansfield has been providing staff with annual reports, as required in the approval, documenting the monitoring results. There was a provision in the WRC approval for

modification of the monitoring plan after five years if conditions warranted it. Based on the results of the last five years, Mansfield has requested a reduction in monitoring frequency. Staff has reviewed all the reports furnished over this five year period and is satisfied that the system is operating as it was predicted to. Hutchins added that Mansfield had wired all of the compliance monitoring points to their SCADA System so that they could monitor the water levels in "real time" and adjust pumping as necessary.

There are several points that currently must be monitored manually each month. These are not used for compliance thresholds. Mansfield has requested that these points be monitored on a reduced schedule. Enough is now known about the hydraulics of the system, so Staff is comfortable in agreeing that the frequency for these points could be reduced to twice each year. DEP and the Natural Heritage Program agree that reducing the monitoring frequency is acceptable.

Compliance monitoring will continue on a daily basis; ambient monitoring will continue; annual reporting will continue; manual measurements will be reduced from monthly to once in April and September.

V O T E	A motion was made by Zimmerman with a second by Terry to approve the staff recommendation for a Modification to the Morrison Well Monitoring Plan by the town of Mansfield. The vote to approve was unanimous of those present.

Agenda Item #4: Update – Aquatic Habitat Restoration in the Commonwealth

Durey reviewed the restoration model used in Massachusetts. This model covers a broad range of activities used to improve aquatic habitat. Most projects supported by the state are voluntary and pro-active. Examples: removal of dams; improvement of instream and riparian habitats; replacement of undersized culverts to restore proper hydrology and proper tidal flushing of coastal marshes; unblocking fish passage or providing other fish passage options for anadromous and catadromous fish; removal of fill from former wetlands; reducing pollutants from storm water and other sources; managing invasive species; restoration of more natural surface and ground water hydrology. The model is based on a partnership and network approach. This includes nonprofits, municipalities, and landowners. These partnerships are coordinated by The Partnership to Restore Massachusetts Habitat, which is coordinated out of CZM. The program also obtains matching funds from the Federal government.

Examples of projects coordinated by this program:

- Riverways has helped to remove six dams in the state. There are another 23 potential dam removals. The emphasis for this dam removal program is the health of the whole watershed. Riverways also has other on-going restoration programs. To date, they have helped partners restore over 65 miles of rivers and streams.
- Micro-grants have helped partners with 57 wetland restoration projects to date. This equates to about 720 acres of restored wetlands – mostly in the tidal and coastal areas.

Right now there are 36 active projects representing over 2,000 acres of restoration potential

- The latest project the program has helped partners to complete is the Sesuet Creek restoration project in Dennis. When the road was built over this tidal creek eight years ago, tidal flushing was cut off to 65 acres of upstream watershed. Fish passage to important spawning habitat was also blocked. This project restored full tidal flushing to all 65 acres and also restored fish passage to the spawning habitat. So far, this has been the largest salt marsh restoration project in Massachusetts.
- The Herring River restoration in Wellfleet is the largest habitat restoration opportunity in the Commonwealth. It is an 1,100 acres estuary. In 1908, tidal flow was cut off. The restoration effort has been on-going for two decades. The current project is undergoing both MEPA and NEPA review. There are many other projects on the Cape that are worth pursuing. Our mission is to help as many partners as possible to restore these habitats.

Aquatic habitats in Massachusetts are in a significantly degraded condition. The Aquatic Habitat Restoration Task Force recently issued a report detailing recommendations and justifications for why aquatic habitat restoration should be an important priority for the commonwealth and other organizations. Full copies of the report are available on CZM's website. Recommendations include: enhancing state leadership for aquatic habitat restoration, including establishing a position in the secretary's office to focus on restoration; investing strategically to maximize restoration opportunities. This means having well thought out, targeted priorities to identify types of habitats to be restored and then pursue money to enhance our capacity to complete theses projects; creating an informed constituency. There is a need for public education and media coverage to illustrate why habitat restoration is important; building local and regional capacities to implement restoration; ensuring efficiency in regulating restoration projects (streamlining permitting); maximizing the role of science and technology in restoration monitoring to better document projects, developing better technology to enhance restoration and partner with academic institutions.

Yeo asked if there was any money in the Environmental Bond Bill to fund the restoration projects. Durey said that there were some earmarks for dam removal. Monnelly asked if the state was fully assessed in terms of tidal restrictions. Durey said that these had been documented to a large extent, but the entire coastal state had not been totally assessed. The next step is to follow up to quantify what is causing the tidal restriction. Yeo suggested that any change in the environment, even if it is a restoration, might involve a lot of public education for people who were used to the status quo – even if the status quo was an altered condition and restoration is "the right thing to do". Durey replied that it depends on the resource and the state of degradation.

Meeting adjourned

Attachments distributed:

- Current Water Conditions in Massachusetts, (July 10, 2008)