



THE COMMONWEALTH OF MASSACHUSETTS
WATER RESOURCES COMMISSION
100 CAMBRIDGE STREET, BOSTON MA 02114

Meeting Minutes for August 11, 2016

100 Cambridge Street, Boston, MA, 1:00 p.m.

Minutes approved September 8, 2016

Members in Attendance:

Vandana Rao	Designee, Executive Office of Energy and Environmental Affairs (EEA)
Linda Balzotti	Designee, Department of Housing and Community Development (DHCD)
Jonathan Yeo	Designee, Department of Conservation and Recreation (DCR)
Douglas Fine	Designee, Department of Environmental Protection (MassDEP)
Todd Richards	Designee, Department of Fish and Game (DFG)
Hotze Wijnja	Designee, Department of Agricultural Resources (DAR)
Todd Callaghan	Designee, Massachusetts Office of Coastal Zone Management (CZM)
Thomas Cambareri	Public Member
Raymond Jack	Public Member
Kenneth Weismantel	Public Member
Bob Zimmerman	Public Member

Members Absent

Paul Matthews	Public Member
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Others in Attendance:

Anne Carroll	DCR
Michele Drury	DCR
Eric Hooper	MWWA/Sharon
Jennifer Pederson	Mass. Water Works Association
Jennifer Sulla	EEA
Erin Graham	DCR
Michelle Craddock	MA DER/DFG
Richard Verdi	USGS
Chris Bruet	USGS
Becky Weidman	MassDEP
Kimberly Groff	MassDEP
Sara Cohen	DCR
Andreae Downs	WAC
Lexi Dewey	WSCAC
Marilyn McCrory	DCR
Gabby Queenan	Mass Rivers Alliance
Andrea Traviglia	US EPA Region 1
Mary Waltuck	Citizen
Morey Waltuck	Citizen
Subodh Mayar	Water Smart
Adam Kautza	DFG

Rao called the meeting to order.

Agenda Item #1: Executive Director’s Report

- The Drought Management Task Force (DMTF) met this morning. Last month, four regions of the state were under some level of drought condition, but this month, conditions have worsened and all of the state’s drought regions are under some form of drought category. Recommendations will be made to the Secretary. We should all be mindful of water use and get the message out to conserve water. Blatt asked about the DMTF recommendation. Rao said that the Secretary would be advised of the DMTF’s deliberations and will be coming out with a declaration soon. She reminded the audience that the DMTF makes recommendations and the Secretary decides and makes the decision, which is then put into a drought declaration.
- The Interbasin Transfer Act regulation revisions are ready for WRC review. Different sections of the draft regulations were presented to the Commission about a year ago. They will come back now as a complete package for review and a vote to go out to public hearing. This is important because the regulations have never been revised and they do not address certain aspects regulated by the Act. The WRC has addressed gaps through policy, but the revised regulations will incorporate these policies. A presentation will be given in September.

Agenda Item: #2 Hydrologic Conditions Report

Carroll gave the hydrologic conditions report: Conditions are dry. The only two regions that received close to normal precipitation last month were the Cape & Islands and West (90% of normal); the other regions were well below normal (about 50% below normal). There are significant precipitation deficits. Streamflows are below normal; some are hitting record low levels. Groundwater levels are very similar - they are below normal (except for the Cape). Reservoir levels were mixed. We are trying to expand the reservoir sample size. Three regions are below normal. The Quabbin Reservoir is doing well. The West is normal; other regions are at a watch level. The overall Outlook is not favorable. It is more likely that the drought will persist and intensify.

Agenda Item #3: Vote on the Minutes of July 7, 2016

Rao invited motions to approve the meeting minutes for July 7, 2016.

V	A motion was made by Weismantel with a second by Richards to approve the meeting minutes for
O	July 7, 2016.
T	The vote to approve was unanimous of those present.
E	

Agenda Item #4: VOTE: Proposed Rescission of Three MassDEP Regulations (310 CMR 14.00, 310 CMR 28.00, 310 CMR 31.00)

Rao mentioned that MassDEP had made presentations to the Commission on these rescissions in the past and was here today for a final vote. Fine stated that this was part of Executive Order 562. These regulations address grant programs that no longer exist. Any regulations that address the Massachusetts Clean Water Act requires a WRC vote. The formal public comment period has occurred. After the WRC vote, these regulations will go back to Secretary of State for rescission. No comments were received on three proposed three rescissions during the public comment period.

- 310 CMR 14.00: Financial assistance to municipalities for correcting failed septic systems. This program has long since been discontinued. Support for municipalities to address failed septic systems is available through the State Revolving Fund (SRF).

V	A motion was made by Yeo with a second by Jack to approve rescission of MassDEP Regulations: 310
O	CMR 14.00.
T	The vote to approve was unanimous of those present.
E	

- 310 CMR 28.00: Water Supply Contamination Correction Program. This also was a grant program. There continues to be funding available to municipalities and private water supply systems through SRF.

V	A motion was made by Balzotti with a second by Cambareri to approve rescission of MassDEP
O	Regulations: 310 CMR 28.00.
T	
E	The vote to approve was unanimous of those present.

- 310 CMR 31.00: Water Conservation Grants Program. Funding for this grant program no longer exists. MassDEP has since made water conservation grants available through the Water Management Act program.

V	A motion was made by Weismantel with a second by Balzotti to approve rescission of MassDEP
O	Regulations: 310 CMR 31.00.
T	
E	The vote to approve was unanimous of those present.

Weidman added that MassDEP had issued a notice of availability for grants. The water audit request for interest closes on August 15. The statewide water management act RFR closes on September 16th. Information is available on the MassDEP website.

Agenda Item #5: Presentation: Conservation Outreach: An Innovative Approach

Hooper, from the town of Sharon, presented an approach for water departments to work with environmental groups across the state. The usual state of affairs is “us against them”. This is ineffective. The messages coming from both water departments and environmental advocacy groups have gotten stale. How do we expand the message? How can we use traditional and social media?

Education and outreach should be based on current data collection and in a form people will use. Traditional messaging is not always effective. Conservation messaging gets stale very quickly. General messages are not effective either. Messages must be timely and targeted. Water departments are not the best messengers. Sharon works with the Neponset River Watershed Association (NepRWA). This is much more effective in getting the word out.

Sharon uses the “Water Smart” program to target messages. The town is almost exclusively residential. Water Smart is a useful tool for targeting messages to individual consumers depending on their water use. Using this tool, the water department can get a good idea of how changes in behavior impacts residential water use.

Water Smart also helps the town to get a better idea if the rate structure is encouraging behavioral changes. The Sharon Water Department is trying to integrate with computer systems in other town departments so they can share information. This tool is also useful for comparing cohorts (such as various town playing fields). Data collected will show outliers.

Zimmerman arrives

Hooper advocates expanding the message by using Facebook, YouTube and Twitter. Most people use these. Water Smart can be used to pinpoint a message in a timely, relevant fashion, targeted to the right audience (i.e., don’t send toilet rebate messages to someone who has already replaced their toilets), as well as group messages (such as those people with irrigation systems). Sharon sends messages via email,

so they are timely. Hooper recommends giving financial incentives for people to sign up to get messages from the water department – it works! And it is not a large budget impact.

Sharon's budget for water conservation is about \$90,000. Sharon gives a lot of rebates. Carroll asked if Hooper recommends the Water Smart system. He does! Acton also uses it, mainly for billing. Sharon uses it for targeted messages. If a water supply customer registers, they can log in and look at their individual water use. Carroll asked if Water Smart had an audit module: can it be used to populate an M-36 water audit? Mayar from Water Smart said yes, but it would need to be set up to do this.

Agenda Item #6: Presentation & Discussion: Proposed Regulation Amendment – Surface Water Quality Standards (314 CMR 4)

Fine gave some background to these amendments and stated that DEP was planning on holding public hearings in September. Groff stated that the purpose of the regulations is to restore, enhance and protect the chemical, physical, and biological integrity of surface waters in Massachusetts. The regulation covers all waters in the Commonwealth except groundwater. The Massachusetts Surface Water Quality Standards (SWQS) were first promulgated in 1967 and have been periodically updated since that time. This is an update to the regulation. The Clean Water Act requires EPA to approve all revisions following promulgation for the changes to become enforceable.

The regulation revision covers three categories: updating bacteria standards to ensure they are consistent with EPA's 2012 guidance; updating the aluminum criteria to be assessed based on the acid-soluble fraction of aluminum (Al) rather than total recoverable Al, to be consistent with EPA's 1988 guidance; and "housekeeping" and clarifying changes to the tables and figures in the regulations.

Bacteria: The 2012 EPA update to the bacteria criteria for recreational waters cleared up a lot of confusion. The Department of Public Health implements the Beaches Environmental Assessment and Coastal Health (BEACH) program while MassDEP implements the SWQS program. The bacteria indicators are not changing, with the exception of a slight change in the Enterococci threshold, that is necessary to ensure consistency with EPA 2012 guidance (33 cfu/100mL → 35cfu/100 ml). Also, the statistical threshold value will replace single sample maximum in the current regulations. The single sample maximum will still be used by DPH to determine if beach closures are necessary, but the statistical threshold value is recommended for assessing recreational use. These changes are not expected to cause significant impacts to existing permits.

Aluminum: EPA came out with Aluminum guidance in 1988. The thresholds for protection of aquatic life are 87ug/L chronic and 750 ug/L acute. These will not change, but the revision includes a clarification that compliance with SWQS should be assessed based on the acid-soluble fraction of Al rather than total recoverable Al, to be consistent with the 1988 EPA guidance. The acid soluble aluminum threshold will remain ecologically protective. Aluminum limits have been written into wastewater treatment plant permits recently. There's a need to develop a methodology to allow acid soluble to be translated into total recoverable aluminum for the purpose of setting permit limits. Some permit holders may wish to develop a translator. Permittees that would like to develop a translator to convert the acid-soluble to total recoverable Al permit limits would need to collect additional data to develop a translator. MassDEP is developing guidelines to allow operators to collect monitoring data to support the development of translators.

Housekeeping – The tables and figures in the back of the standards were missing information, and some clarifications were necessary. None of the proposed changes are substantive. The revision also contains some formatting changes, to ease future updates. Table 28 contained site specific criteria for copper, adopted in 2013, but not approved by EPA (so not enforceable). These criteria have been removed.

There has been a stakeholder process, as the revision proceeded. Public hearings will be scheduled for the end of September/early October. The public comment period is expected to end in late October/early November, with a target promulgation date of early 2017.

Callahan stated that the revisions are very helpful.

Fine stated the revision should come back to the WRC for a vote in November or December.

Meeting adjourned, 3:00 PM

Documents or Exhibits Used at Meeting:

1. WRC Meeting Minutes for July 7, 2016
2. Proposed Rescission of Three MassDEP Regulations
 - Summary of Proposed FINAL Regulation Rescissions for Vote by the Water Resources Commission on August 11, 2016
 - 310 CMR 14.00: Financial Assistance to Municipalities for Correcting Failed On-Site Disposal Systems (redline)
 - 310 CMR 28.00: Water Supply Contamination Correction Program (redline)
 - 310 CMR 31.00: Water Conservation Grants Program
3. MassDEP Summary of Proposed Regulation Revisions for Discussion at the Water Resources Commission on August 11, 2016: 314 CMR 4.00: Surface Water Quality Standards
4. MassDEP Request for Interest: Statewide Water Management Act Permit Holders Water Audit
5. MassDEP Notice of Grant Opportunity: Statewide Water Management Act Grant, RFR #BRP 2017-08
6. Public Notice dated July 29, 2016, for publication in the MEPA *Environmental Monitor*: Schedule for Preparation of Water Needs Forecasts for Public Water Suppliers with Water Management Act Permits in the Connecticut River Basin
7. Interbasin Transfer Act project status report, July 27, 2016

Compiled by: MHD

Agendas and minutes are available on the web site of the Water Resources Commission at www.mass.gov/eea/wrc under "MA Water Resources Commission Meetings." All other meeting documents are available by request to WRC staff at 251 Causeway Street, 8th floor, Boston, MA 02114.