



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

Meeting Minutes for January 12, 2017

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

Minutes approved March 10, 2017

Members in Attendance:

Vandana Rao	Assistant Director of Water Policy, Executive Office of Energy and Environmental Affairs (EEA)
Linda Balzotti	Designee, Department of Housing and Community Development (DHCD)
Anne Carroll	Designee, Department of Conservation and Recreation (DCR)
Douglas Fine	Designee, Department of Environmental Protection (MassDEP)
Catherine deRonde	Designee, Department of Agricultural Resources (DAR)
Todd Richards	Designee, Department of Fish and Game (DFG)
Thomas Cambareri	Public Member
Raymond Jack	Public Member
Paul Matthews	Public Member
Kenneth Weismantel	Public Member

Members Absent

Todd Callaghan	Designee, Massachusetts Office of Coastal Zone Management (CZM)
Bob Zimmerman	Public Member

Others in Attendance:

Erin Graham	DCR
Viki Zoltay	DCR
Peter Weiskel	U.S. Geological Survey
Jennifer Sulla	EEA
Gabby Queenan	Mass. Rivers Alliance
Jennifer Pederson	Mass. Water Works Assn.
Michele Drury	DCR
Sara Cohen	DCR
Michelle Craddock	DFG/Div. of Ecological Restoration
Steve McCurdy	MassDEP
Marilyn McCrory	DCR

Rao called the meeting to order at 1:04 p.m.

Agenda Item #1: Executive Director's Report

Rao provided an update on the meeting of the Drought Management Task Force on January 5, 2017. The task force noted that conditions had improved somewhat but not enough to change the drought levels in most regions. The Northeast region did improve from the Warning to the Watch level.

Rao provided an update on revisions to the Interbasin Transfer Act regulations. The comment period on draft revisions closed on December 23, 2016. Nine comments from stakeholders were received. EEA agencies are starting to review and analyze the comments and will continue to provide updates to the commission.

Weismantel reported on comments he had received in his role on municipal boards in Hopkinton and the Metro West region regarding uncertainty about the availability of water and confusion about how to meet Water Management Act (WMA) permitting requirements. He expressed concerns about unintended consequences of the WMA permitting process. Fine responded that DEP is being proactive in reaching out to communities to walk them through the WMA permit renewal process. He encouraged Weismantel to have any permittee contact DEP for one-on-one technical assistance.

On Hopkinton specifically, Drury noted that in the course of gathering data for a water needs forecast for the town's water system, it was determined that the town needs to address a high level of unaccounted-for water. She added that a long-term forecast can be developed once unaccounted-for water is under control. Fine added that DEP intends to reopen the request for interest in water audit services, making financial assistance available to both WMA permittees and registrants. He invited those interested to look for information in the next few weeks (information is available at <http://www.mass.gov/eea/agencies/massdep/water/grants/water-management-act-grant-program.html>).

Weismantel also invited those interested to a meeting of the 495/MetroWest Suburban Edge Community Commission on January 27, 2017, in Westborough. The agenda will focus on water.

DeRonde announced that the Department of Agricultural Resources will be awarding \$250,000 in emergency grant funding to help farmers prepare for drought. She added that 52 applicants had requested a total of \$822,000.

Agenda Item #2: Vote on the Minutes of November and December 2016

Rao invited a motion to approve the meeting minutes for November 10, 2016.

V	A motion was made by Weismantel with a second by Balzotti to approve the meeting
O	minutes for November 10, 2016.
T	
E	The vote to approve was unanimous of those present (Matthews absent for vote).

Rao invited a motion to approve the meeting minutes for December 8, 2016.

V	A motion was made by Weismantel with a second by Fine to approve the meeting minutes
O	for December 8, 2016.
T	
E	The vote to approve was unanimous of those present, with one abstention (Richards). (Matthews absent for vote).

Agenda Item #3: Update: Hydrologic Conditions

Zoltay provided an update on the hydrologic conditions for December 2016. Conditions are improving, but all regions of the state are still in some level of drought. Precipitation varied from mainly normal in the Western region to below normal in most of the rest of the state.

Streamflows continue to recover, but they continue to be a concern in all regions. Some groundwater levels have recovered, but others remain below normal. Reservoir levels remain below normal for all regions. The U.S. Drought Monitor shows some recovery, but the drought outlook is mixed. The Drought Management Task Force recommended no change to the drought-level designations in the Western, Connecticut River, Central, Southeast, and Cape and Islands regions, and an improvement from the Warning to Watch level in the Northeast region.

Ray commended Zoltay for the comprehensive report. Zoltay requested input on the format or content of the report.

Agenda Item #4: Presentation and Discussion: Final Amendments to MassDEP Regulations - 310 CMR 44.00 (Clean Water State Revolving Fund) and 310 CMR 45.00 (Drinking Water State Revolving Fund)

Fine introduced Steve McCurdy of MassDEP to provide an update on proposed amendments to two state revolving fund (SRF) regulations. Fine noted that a vote by the Water Resources Commission will not be required because the regulations are not promulgated under the Massachusetts Clean Waters Act.

McCurdy explained that the state revolving fund is a federal-state partnership to finance local water and wastewater infrastructure projects. He explained that the fund uses federal grants matched at twenty percent by state funds to offer low-interest loans, with loan repayments financing additional loans. The Massachusetts Clean Water Trust, which administers the fund, also issues tax-exempt bonds to leverage additional private investment.

McCurdy outlined statutory changes in 2014 at both the federal and state levels that required revisions to the regulations. Among the changes were an increase in the cap on loan assistance, expanded flexibility to finance projects that protect or enhance water quality and, at the state level, authorization of enhanced subsidies for certain types of projects. He added that the state legislature has not yet appropriated funds for the enhanced subsidies.

McCurdy provided detail on the changes to the regulations (310 CMR 44) for the Clean Water SRF, which include revisions to reflect changes in the federal Clean Water Act. The proposed changes expand the types of eligible projects to include decentralized wastewater systems, stormwater management infrastructure, water conservation, water recycling, energy efficiency, land acquisition, and projects that offset water withdrawals. He explained changes to financing criteria for the enhanced subsidies, noting that the projects need to be consistent with the priorities identified by the Trust. Among these priorities are regional projects and green infrastructure. Borrowers must implement best management practices outlined in the state statute, including setting up enterprise accounts. McCurdy also outlined proposed changes to the regulations (310 CMR 45) for the drinking water state revolving fund. He added that these amended regulations should be published in the next few weeks.

Comments, questions, and responses:

- Do other states leverage private investment to raise additional equity? Response: About half the states do this.
- Are there examples of SRF-financed projects in all of the eligible categories, such as projects that offset water withdrawals? Response: The SRF finances loans for projects that communities request, as long as the projects are eligible. Some of these categories were not previously explicit in the regulations.
- Jack commented that the requirement for an Enterprise account is too restrictive, explaining that setting aside funds limits a community's flexibility to respond to needs. Response: This higher bar must be met only to receive the enhanced subsidies.
- Clarify the types of projects eligible under the Clean Water and Drinking Water SRF programs. Response: the Clean Water SRF focuses on projects involving wastewater and

stormwater management, while the Drinking Water SRF is more aligned with public health and focuses on drinking water treatment, storage, and transmission.

- Under which program would source water protection fit? Response: As a water quality issue, source water protection would be eligible for Clean Water SRF loans.
- Are scoring criteria changing? Response: No, unless priorities change.
- Is stormwater management planning an eligible activity? Response: Yes, planning for stormwater, wastewater, and drinking water can be financed through these programs.

Matthews arrives.

Agenda Item #5: Update: Status of the USGS Hydrologic Monitoring Network

Rao noted that Massachusetts has maintained a cooperative program with the U.S. Geological Survey since 1904. She introduced Peter Weiskel of USGS to provide an update on the cooperative program's hydrologic monitoring network and the status of the program budget.

Weiskel explained that the data collected through the program are used for a variety of purposes, including emergency and drought management, flood forecasting, engineering design, landslide forecasting, and environmental monitoring. He reviewed the status and budget of the various components of the network, including the stream gage, groundwater, and climate response networks; precipitation and full meteorological stations; tide gages; and the landslide warning system. He highlighted groundwater wells that are part of USGS's climate response network, noting that Massachusetts has one of the greatest concentrations of groundwater wells with long-term records in the country. He highlighted planned changes to the network, including replacement of older wells and conversion of some sites to real-time data collection capability.

Weiskel discussed the annual costs of operating and maintaining the various stations and the cooperative nature of monitoring using USGS, state, and University of Massachusetts staff. He outlined the projected budget for fiscal year 2018 and federal and state sources of funding. He highlighted a \$164,000 grant from USGS to Massachusetts to replace older groundwater observation wells. He also outlined interpretive projects and flood inundation mapping efforts, both of which are funded from sources other than the state cooperative program.

Fine departs.

Comments, questions, and responses:

- Jack inquired about how current funding of the network compares to past funding. Rao responded that the state recently increased funding of the cooperative program, though funding levels are still inadequate to meet the needs of a robust network. She added that EEA and state agencies continue to look for alternate sources of funding.
- Richards asked if soil moisture data is too site-specific to be useful in a broader context. Weiskel noted the importance of soil moisture data as an indicator in drought assessments, particularly for farmers. He added that the Natural Resources Conservation Service has a national network of soil moisture probes, but has no such sites in Massachusetts.

Agenda Item #6: Update: USGS National Groundwater Monitoring Network Conference

Rao introduced Anne Carroll of the Department of Conservation and Recreation to report on lessons learned from a USGS-sponsored meeting of the National Groundwater Monitoring Network (NGWMN).

Carroll provided background on the NGWMN, which is a collaborative nationwide effort of federal and state agencies. She described activities of the Subcommittee on Groundwater, which coordinates the network and provides guidance to ensure that data are collected in a consistent manner. She noted that the current network captures data from more than 5,600 water-level wells and 1,300 water quality wells managed by state data providers. A data portal (available at <http://cida.usgs.gov/ngwmn>) provides access to data provided by participants in the network.

Carroll explained that Massachusetts was invited to participate in this national meeting as a recipient of a two-year USGS grant to replace 39 groundwater monitoring wells that provide data to the NGWMN. Modernizing these wells is important to maintain a continuous record of groundwater-level data, since some of the wells have records dating to 1936. She noted there may be an opportunity for additional funding through the NGWMN.

Comments, questions, and responses:

- Jack and Richards commended the agencies involved in obtaining the well replacement grant. Carroll acknowledged the work of current and former agency staff members on the grant application, including former hydrologist Linda Hutchins, who continued working on the grant application after leaving the state.
- What is the source of funding? Response: USGS headquarters funds the grant program, and the state provides a match. The USGS/Massachusetts Cooperative Program funds operation and maintenance and data management of the networks.
- Will there be any data gaps as the wells are being replaced? Response: the intent is to operate the old and replacement wells in parallel, so that no data will be missed.

Meeting adjourned, 2:33 p.m.

Documents or Exhibits Used at Meeting:

1. WRC Meeting Minutes
 - a. November 10, 2016
 - b. December 8, 2016
2. December 2016 Hydrologic Conditions in Massachusetts (available at <http://www.mass.gov/eea/agencies/dcr/water-res-protection/water-data-tracking/monthly-water-conditions.html>)
3. Presentation by Steve McCurdy, MassDEP: Massachusetts State Revolving Fund Program. Amendments to CWSRF 310 CMR 44 and DWSRF 310 CMR 45
4. Presentation by Richard Verdi, USGS: Update and Status of the USGS/MA Cooperative Hydrologic Monitoring Network
5. Presentation by Anne Carroll, DCR: The National Ground-Water Monitoring Network Subcommittee on Ground Water: Update on December 2016 Meeting, Las Vegas, Nevada
6. Interbasin Transfer Act project status report, December 22, 2016
7. Public Notice dated December 28, 2016: Schedule for Preparation of Water Needs Forecasts for Public Water Suppliers with Water Management Act Permits in the French River Basin

Compiled by: mjm

Agendas, minutes, and other documents 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.