



THE COMMONWEALTH OF MASSACHUSETTS

WATER RESOURCES COMMISSION

100 CAMBRIDGE STREET, BOSTON MA 02114

Meeting Minutes for June 20, 2013

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

Minutes approved August 8, 2013

Members in Attendance:

Kathleen Baskin	Designee, Executive Office of Energy and Environmental Affairs (EEA)
Anne Carroll	Designee, Department of Conservation and Recreation (DCR)
Bethany Card	Designee, Department of Environmental Protection (MassDEP)
Gerard Kennedy	Designee, Department of Agricultural Resources (DAR)
Mark Tisa	Designee, Department of Fish and Game (DFG)
Todd Callaghan	Designee, Massachusetts Office of Coastal Zone Management (CZM)
Raymond Jack	Public Member

Members Absent

Marilyn Contreas	Designee, Department of Housing and Community Development (DHCD)
Thomas Cambareri	Public Member
John Lebeaux	Public Member
Paul Matthews	Public Member
Bob Zimmerman	Public Member

Others in Attendance:

Marilyn McCrory	DCR
Michele Drury	DCR
Roger Hill	Town of Foxborough
Jennifer Pederson	Mass. Water Works Assn.
Carey Goldman	EEA (intern)
Erin Graham	DCR
Bruce Hansen	DCR
Duane LeVangie	MassDEP
Peter Weiskel	U.S. Geological Survey

Baskin called the meeting to order at 1:00 p.m.

Agenda Item #1: Executive Director's Report

Hansen provided an update on the hydrologic conditions for May 2013. He reported that, after a long period of dryness, statewide precipitation in May was 136 percent of normal, and June is continuing the trend of above-average rainfall. As a result of recent rainfall, fire danger conditions have been reduced. Hansen reported that groundwater levels and streamflows at the end of May were still below normal in the northeast and southeast regions of the state. Reservoir levels were mostly above normal. Drought indices show that the state has returned to normal conditions, and the Drought Outlook shows no drought conditions forming through September.

Baskin reported that the town of Hudson has sought water on an emergency basis from the Massachusetts Water Resources Authority. She added that such a transfer of water would normally be subject to review under the Interbasin Transfer Act, but the Act allows an exemption, under certain conditions, for emergencies.

Baskin requested that commission members return the signed form acknowledging participation in the training on the Open Meeting Law.

Baskin reported on the governor's second symposium on forming a cluster on water innovation in Massachusetts.

Weiskel reported on a new council proposed by the U.S. Geological Survey on water monitoring. The purpose is to convene entities with a stake in water resources – including government entities at various levels, nongovernmental organizations, industry stakeholders, water suppliers, and wastewater operators – to work together to build awareness about and broaden public support for water monitoring networks, some of which have been in place for more than a century. He added that a public meeting is planned for early November.

Agenda Item #2: Vote on the Minutes of Water Resources Commission meetings, May 9, 2013

Baskin invited a motion to approve the meeting minutes for the commission's regular monthly meeting on May 9, 2013.

V	A motion was made by Kennedy with a second by Tisa to approve the meeting minutes for
O	May 9, 2013.
T	
E	The vote to approve was unanimous of those present.

Baskin invited a motion to approve the meeting minutes for the commission's retreat meeting on May 9, 2013.

V	A motion was made by Card with a second by Kennedy to approve the meeting minutes for
O	May 9, 2013.
T	
E	The vote to approve was unanimous of those present, with one abstention (Tisa).

Agenda Item #3: Presentation: Staff Recommendation on Amendment to the Interbasin Transfer Approval for the Witch Pond Wells, Foxborough, Massachusetts

Drury introduced Roger Hill of the town of Foxborough. She reviewed the background on the project (*Ed. note:* see WRC meeting minutes of March, April, and May 2013 at <http://www.mass.gov/eea/air-water-climate-change/preserving-water-resources/partners-and-agencies/water-resources-commission/ma-water-resources-commission-meetings.html>). Drury explained that after reviewing two years of monitoring data, staff noted concerns that the deep peat layer was not reacting to pumping in ways consistent with the conceptual model included in the town's Interbasin Transfer application. She noted Foxborough's request to MassDEP for an emergency declaration, which would allow the town to continue pumping from the Witch Pond wells this summer while it completes water system improvements at other wells. She added that

emergency declarations are specifically exempt under the Interbasin Transfer Act; therefore, Foxborough may have to operate the Witch Pond wells, even if the pumping-shutoff thresholds outlined in the 2001 Interbasin Transfer Act approval are reached. She outlined the conditions associated with the emergency declaration, including a total outdoor watering ban.

Drury explained that one of the primary concerns of the Interbasin Transfer Act is protection of the donor basin resources. Therefore, staff is proposing an additional pumping-shutoff threshold in the deep peat layer to go into effect when the emergency declaration expires. She added that, in the absence of empirical data, the commission's 2001 decision anticipated adaptive management requiring continual monitoring and the potential for additional conditions being placed on use of the Witch Pond wells. She added that the town can also request modifications of the conditions, based on monitoring results.

Hutchins reviewed the technical evaluation that resulted in the proposed shutoff threshold. She reviewed the conditions of the 2001 interbasin transfer approval, which included baseline monitoring, operational monitoring, wetland vegetation monitoring, and water-level shutoff thresholds to protect the wetlands. She reviewed the sensitive resources protected by the conditions and described the location of monitoring wells and the hydraulic impacts of pumping, noting a long-term decline in water levels of all geologic layers. She described the results of wetland vegetation monitoring, which indicated a rapid change in species composition to species more tolerant of dry conditions.

Hutchins stated that staff is recommending an additional threshold in the deep peat layer adjacent to Witch Pond. This threshold represents the lowest elevation measured during the baseline period. She explained that the proposed threshold would restrict pumping and maintain the peat layer's hydrology during dry periods. She outlined additional potential modifications to the deep peat threshold and monitoring plan; these are under discussion and may be considered in the future for approval by the commission.

Baskin noted that the commission will vote on the staff recommendation at the July meeting.

Questions and discussion concerned trends in the town's water usage, the long-term effect of pumping on the aquifer and peat layer, the location of the wells, and the status of water system improvements. Hill expressed the town's understanding of the proposed thresholds, and stated his preference for imposing more stringent water-use restrictions rather than over-pumping the wells. He noted that the sequestering agent is working well in addressing manganese levels. He added that the town is working with Tim Simmons of the Department of Fish and Game on an alternative transect method of vegetation monitoring in the swamp in order to produce more statistically significant results.

Baskin read written comments provided by Commissioner Bob Zimmerman on the draft staff recommendation. Zimmerman suggested that use of the wells be throttled back as the new threshold is approached. He expressed concern about the residual effect of pumping, even after wells are shut off, if the threshold is triggered. Drury commented that the existing monitoring plan addresses this concern for the existing thresholds through some throttle-back thresholds. Drury agreed to amend the staff recommendation appropriately and to work with Foxborough to amend its monitoring plan and with MassDEP to include this in the Water Management Act permit. Baskin commented that the staff recommendation and the draft Administrative Consent Order should include parallel language on the conditions. Drury stated that this would be done.

Card and Baskin commended staff and Mr. Hill and the Foxborough Water Commissioners for working cooperatively to arrive at a workable solution.

Agenda Item #4: Discussion: Follow-up to Water Resources Commission Roundtable and Policy Discussion

There was some discussion about whether to postpone discussion of this agenda item, given the absence of several commission members. It was decided that staff would summarize main points, with a policy discussion by the full commission to continue at a later meeting.

Cohen noted that the May 9, 2013, commission retreat provided an opportunity for members to share with each other their top priorities related to water. McCrory summarized the themes that emerged from that discussion. A major theme was related to education, communication, and engaging the public on a number of issues, including the value of water and how much consumers pay for water; the value of wastewater as a resource; and efficiency. A second theme related to wastewater, including reuse and alternatives to centralized collection, treatment, and disposal of wastewater. A third cluster of ideas included bringing the thinking from the Sustainable Water Management Initiative (SWMI) into other areas of policy besides the Water Management Act; streamflow issues; what water is worth; and connecting the issues of water, wastewater, and stormwater.

Cohen noted that the next step for commission members will be to have a more direct exchange with each other on these themes and develop ideas for future actions and policy directions. She added that the discussion of action items should focus, where possible, on leveraging opportunities that will yield results but will not require a great deal of staff time. She summarized some initial ideas that commission staff had already generated, based on the priorities expressed at the retreat, related to the theme of education. Ideas included better use of social media and social marketing; developing a “road show” presentation, on a theme to be determined, to be offered to various groups; engaging park interpretive staff at the Department of Conservation and Recreation, as a front-line contact with the public, on developing messages around water that could be included in their educational outreach; producing an annual report that could be used as an outreach piece for the general public; and partnering with existing public service announcement campaigns to incorporate priority messages from the WRC.

As an example of existing campaigns, Cohen invited Pederson to describe the Water Environment Federation’s “Water is Worth It” campaign. Pederson described the campaign and its central message, which focuses on the need to invest in water infrastructure for the environment and for jobs. She added that a local coalition, with assistance from the Metropolitan Area Planning Council, is building on the national campaign materials to develop a public outreach campaign tailored to Massachusetts. She noted the importance of having a consistent message in any statewide campaign.

Cohen commented that the next step would be for commission members to discuss messages for these various outreach vehicles. Baskin invited initial thoughts.

Card requested clarification on next steps for the ideas generated during the May retreat discussion. Cohen explained that it is hoped that the discussion could identify various ways of moving the ideas forward, including actions by commission members themselves, such as contributing to blogs or leveraging contacts with other organizations. In response to a question from Pederson, Baskin explained that education was a recurring theme in the retreat discussion and a topic that readily translates into action, whereas other topics, such as incorporating SWMI

science into other programs, would require more thought. She emphasized that action on these other topics should not be put off forever and input from commission members on their priorities is encouraged.

Jack underscored the importance of targeting planners at the municipal level in education efforts in order to broaden their understanding of the impacts of growth on water and wastewater. Kennedy emphasized the importance of inventorying existing education and outreach efforts to be sure commission efforts build on these rather than duplicating efforts. Baskin invited commission members to help in identifying organizations already engaged in education around water in order to identify sectors that are not being reached. Carroll added that some thought needs to be given to whether the state has a unique message to communicate and whether there is a specific audience that is not being reached by other organizations. Jack emphasized that helping officials at the local level understand the enormity of water-related issues is essential since these issues are often addressed through local community initiatives.

Baskin invited commission members to provide their thoughts on what kind of message is needed, who the target audience is, and how to communicate the message. The commission members all agreed that discussion would continue at a future meeting.

Meeting adjourned, 2:15 p.m.

Documents or Exhibits Used at Meeting:

- WRC Meeting Minutes:
 - Water Resources Commission retreat meeting, May 9, 2013
 - May 9, 2013
- Amendment to the Interbasin Transfer Act Approval for Witch Pond Wells, Foxborough, Massachusetts:
 - Draft Staff Recommendation dated June 20, 2013
 - Link to Figures 1, 2, 3, and 4: <http://www.mass.gov/eea/air-water-climate-change/preserving-water-resources/partners-and-agencies/water-resources-commission/ma-water-resources-commission-meetings.html>
- Correspondence related to Witch Pond Wells, Foxborough, Massachusetts:
 - Correspondence dated May 8, 2013, from Water Resources Commission to Roger Hill, town of Foxborough regarding Foxborough's request to modify Water Management Act permit and approved monitoring plan.
 - Correspondence dated May 31, 2013, from Town of Foxborough to MassDEP the town's request for an emergency declaration.
- Summary: WRC Retreat Discussion, May 9, 2013
- Final Massachusetts Drought Management Plan. May 21, 2013. Available at: <http://www.mass.gov/eea/docs/eea/wrc/droughtplan.pdf>
- Current Water Conditions in Massachusetts, June 20, 2013
- Presentation by Linda Hutchins, Foxborough Witch Pond Wells IBT Staff Recommendation, June 20, 2013. Available at <http://www.mass.gov/eea/air-water-climate-change/preserving-water-resources/partners-and-agencies/water-resources-commission/ma-water-resources-commission-meetings.html>