



Department of Environmental Protection

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Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

January 24, 2020

Dear Charles Basin Water Management Act Permittees:

I am writing to notify you of the upcoming compliance review of your Water Management Act (WMA) permit, as outlined in 310 CMR 36.31, and to update you on program developments since your current WMA permit was issued in 2010. As part of this review, MassDEP will be modifying permits in the Charles River Basin to incorporate regulatory requirements developed as part of the Sustainable Water Management Initiative (SWMI). The revisions to the Water Management Program Regulations at 310 CMR 36.00 are described in detail below.

In order to introduce the revised permit requirements and how they might apply to permits in the Charles River Basin, MassDEP will be holding an outreach workshop.

Water Management Permit Review Outreach Workshop
Thursday, February 20, 2020, from 10:00 a.m. to 12:00 p.m.

MA Horticultural Society Gardens at Elm Bank, Parkman Room
900 Washington Street
Wellesley, MA 02482

In addition, MassDEP will be available for individual consultation sessions as needed during the permit review process. This schedule outlines the permit review process in more detail.

MassDEP Water Management Program Charles River Basin Permit Review Schedule				
Outreach Workshop	MassDEP Sends Request for Additional Information	Consultation Sessions	Draft Permit Modifications Issued	Final Permit Modifications Issued
February 20, 2020	March-April 2020	April 2020 – October 2020	Fall 2020	Fall /Winter 2020/2021
MassDEP will conduct an Outreach Workshop on: <ul style="list-style-type: none">the SWMI process;information required to complete the permit review;consultation process with applicants to develop the required information.	MassDEP will send an individual "Request for Additional Information" needed to complete each permit review. Permittees will have 90 days to develop the necessary information, and may request additional time if, despite reasonable efforts, additional time is needed.	MassDEP and state agency staff will meet at the permittee's request to consult on any aspect of the permit review including: <ul style="list-style-type: none">compliance,fisheries protection,minimization, andmitigation requirements.	MassDEP will issue draft amended permits for a 30-day public comment period.	MassDEP will issue final amended permits for the Charles Basin.

Revisions to the Water Management Program Regulations at 310 CMR 36.00

From 2010 through 2014, MassDEP participated in a stakeholder process known as the Sustainable Water Management Initiative (SWMI). SWMI was initiated 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. When the SWMI process was completed, MassDEP adopted revised WMA Program Regulations at 310 CMR 36.00, effective November 7, 2014, that incorporated important elements of the SWMI framework. The regulations can be found at:

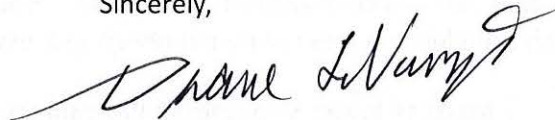
<http://www.mass.gov/eea/agencies/massdep/water/regulations/310-cmr-36-00-the-water-management-act-regulations.html>.

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" that will be used to identify environmental conditions within river subbasins;
- "coldwater fish resource optimization" where options for shifting withdrawals away from stream segments that contain coldwater fisheries will be evaluated;
- 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;
- "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.

We look forward to working with you as we review of your Water Management Act permit and develop the modifications that will bring your permit up to date with current program requirements.

Sincerely,



Duane LeVangie, Program Chief
Water Management Act Program
Bureau of Water Resources

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