



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

July 18, 2024

Kevin Banks
Golf Club of Marthas Vineyard
100 Clubhouse Drive
P.O. Box 9
Edgartown, MA 02539

RE: Water Management Act
WMA Permit #: 9P2-4-23-089.02
Action: FINAL WMA Permit Renewal

Dear Mr. Banks:

Please find the following attached documents:

- Findings of Fact in Support of the Permit Renewal Decision, and
- FINAL Water Management Act Permit for withdrawals by the Golf Club of Marthas Vineyard in the Islands Basin.

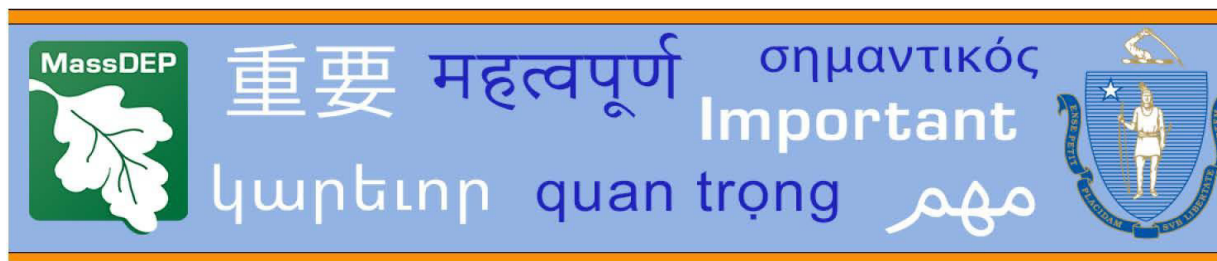
If you have any questions regarding the Final permit, please contact Linjun Yao at Linjun.Yao@mass.gov or 781-686-3862.

Sincerely,

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

Ecc: Julia Blatt, Mass Rivers Alliance
Sheri Caseau, Martha's Vineyard Commission

mass.gov.sharepoint.com\W\DWPArchive\SERO\2024\Edgartown-Golf Club of Marthas Vineyard-9P2-4-23-089.02-FINAL Permit -2024-7-18



Communication for Non-English-Speaking Parties

This document is important and should be translated immediately.

If you need this document translated, please contact MassDEP's Director of Environmental Justice at the telephone number listed below.

Español Spanish

Este documento es importante y debe ser traducido inmediatamente. Si necesita traducir este documento, póngase en contacto con el Director de Justicia Ambiental de MassDEP (*MassDEP's Director of Environmental Justice*) en el número de teléfono que figura más abajo.

Português Portuguese

Este documento é importante e deve ser traduzido imediatamente. Se você precisar traduzir este documento, entre em contato com o Diretor de Justiça Ambiental do MassDEP no número de telefone listado abaixo.

繁體中文 Chinese Traditional

本文檔很重要，需要即刻進行翻譯。
如需對本文檔進行翻譯，請透過如下列示電話號碼與 MassDEP 的環境司法總監聯絡。

简体中文 Chinese Simplified

这份文件非常重要，需要立即翻译。
如果您需要翻译这份文件，请通过下方电话与 MassDEP 环境司法主任联系。

Ayisyen Kreyòl Haitian Creole

Dokiman sa a enpòtan epi yo ta dwe tradui l imedyatman. Si w bezwen tradui dokiman sa a, tanpri kontakte Direktè. Jistis Anviwònmanal MassDEP a nan nimewo telefòn ki endike anba a.

Việt Vietnamese

Tài liệu này và quan trọng và phải được dịch ngay. Nếu quý vị cần bản dịch của tài liệu này, vui lòng liên hệ với Giám Đốc Phòng Công Lý Môi Trường của MassDEP theo số điện thoại được liệt kê bên dưới.

ប្រទេសកម្ពុជា Khmer/Cambodian

ឯកសារនេះមានសារៈសំខាន់
ហើយត្រូវបានបកប្រែភ្លាមៗ។
ប្រសិនបើអ្នកត្រូវការអោយឯកសារនេះបកប្រែ
សូមទាក់ទងនាយកផ្នែកយុត្តិធម៌បរិស្ថានរបស់
MassDEP តាមរយៈលេខទូរស័ព្ទដែលបានរាយនាមខាងក្រោម។

Kriolu Kabuverdianu Cape Verdean

Es dokumentu sta important i tenki ser tradusidu imediatamenti. Se nho ta presisa ke es dokumentu sta tradisidu, por favor kontata O Diretor di Justisia di Environman di DEP ku es numero di telefoni menxionadu di baixo.

Contact Deneen Simpson 857-406-0738

Massachusetts Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114

TTY# MassRelay Service 1-800-439-2370 • <https://www.mass.gov/environmental-justice>
(Version revised 8.2.2023) 310 CMR 1.03(5)(a)

Русский Russian

Это чрезвычайно важный документ, и он должен быть немедленно переведен. Если вам нужен перевод этого документа, обратитесь к директору Департамента экологического правосудия MassDEP (MassDEP's Director of Environmental Justice) по телефону, указанному ниже.

العربية Arabic

هذه الوثيقة مهمة وتجب ترجمتها على الفور.

إذا كنت بحاجة إلى ترجمة هذه الوثيقة، فيرجى الاتصال بمدير العدالة البيئية في MassDEP على رقم الهاتف المذكور أدناه.

한국어 Korean

이 문서는 중대하므로 즉시 번역되어야 합니다. 본 문서 번역이 필요하신 경우, 매사추세츠 환경보호부의 "환경정의" 담당자 분께 문의하십시오. 전화번호는 아래와 같습니다.

հայերեն Armenian

Այս փաստաթուղթը կարևոր է, և պետք է անհապաղ թարգմանել այն: Եթե Ձեզ անհրաժեշտ է թարգմանել այս փաստաթուղթը, դիմեք Մասաչուսեթսի շրջակա միջավայրի պահպանության նախարարության (MassDEP) Բնապահպանական հարցերով արդարադատության ղեկավարին (Director of Environmental Justice)՝ ստորև նշված հեռախոսահամարով

فارسی Farsi Persian

این نوشتار بسیار مهمی است و باید فوراً ترجمه شود. اگر نیاز به ترجمه این نوشتار دارید لطفاً با مدیر عدالت محیط زیستی MassDEP در شماره تلفن ذکر شده زیر تماس بگیرید.

Français French

Ce document est important et doit être traduit immédiatement. Si vous avez besoin d'une traduction de ce document, veuillez contacter le directeur de la justice environnementale du MassDEP au numéro de téléphone indiqué ci-dessous.

Deutsch German

Dieses Dokument ist wichtig und muss sofort übersetzt werden. Wenn Sie eine Übersetzung dieses Dokuments benötigen, wenden Sie sich bitte an MassDEP's Director of Environmental Justice (*Direktor für Umweltgerechtigkeit in Massachusetts*) unter der unten angegebenen Telefonnummer.

Ελληνική Greek

Το έγγραφο αυτό είναι πολύ σημαντικό και πρέπει να μεταφραστεί αμέσως. Αν χρειάζεστε μετάφραση του εγγράφου αυτού, παρακαλώ επικοινωνήστε με τον Διευθυντή του Τμήματος Περιβαλλοντικής Δικαιοσύνης της Μασαχουσέτης στον αριθμό τηλεφώνου που αναγράφεται παρακάτω

Italiano Italian

Questo documento è importante e deve essere tradotto immediatamente. Se hai bisogno di tradurre questo documento, contatta il Direttore della Giustizia Ambientale di MassDEP al numero di telefono sotto indicato.

Język Polski Polish

Ten dokument jest ważny i powinien zostać niezwłocznie przetłumaczony. Jeśli potrzebne jest tłumaczenie tego dokumentu, należy skontaktować się z dyrektorem ds. sprawiedliwości środowiskowej MassDEP pod numerem telefonu podanym poniżej.

हिन्दी Hindi

यह दस्तावेज महत्वपूर्ण है और इसका अनुवाद तुरंत किया जाना चाहिए। यदि आपको इस दस्तावेज का अनुवाद कराने की जरूरत है, तो कृपया नीचे दिए गए टेलीफोन नंबर पर MassDEP के पर्यावरणीय न्याय निदेशक से संपर्क करें।

Contact Deneen Simpson 857-406-0738

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Findings of Fact in Support of Permit Renewal Decision Golf Club of Marthas Vineyard Water Management Act Permit #9P2-4-23-089.02

The Massachusetts Department of Environmental Protection (MassDEP) makes the following Findings of Fact in support of the attached FINAL Permit #9P2-4-23-089.02 (the "Permit") and includes herewith its reasons for issuing the Permit and for conditions of approval imposed, as required by M.G.L. c. 21G, § 11, and 310 CMR 36.00. The Permit is being issued since such action is necessary for the promotion of the purposes of M.G.L. c. 21G. The Department may amend, suspend or terminate the Permit, after notice and hearing, in accordance with the provisions of 310 CMR 36.29(1).

The Permit Extensions

WMA permits issued during the first 20-year permitting cycle for the Islands Basin expired on February 28, 2011. Permittees seeking to renew their Water Management permit were required to file a renewal application on or before November 30, 2010. In November of 2010, the Golf Club of Marthas Vineyard submitted a 20-year permit renewal application. Subsequently, the expiration dates for all Water Management permits were extended for four years by Chapter 240 of the Acts of 2010 as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act.

Therefore, WMA permits for withdrawals in the Islands Basin were extended to February 28, 2015. In April of 2015, MassDEP informed the Golf Club of Marthas Vineyard and other permittees in the Islands basin that MassDEP would need additional time before making a determination on their application in order to ensure that all permit renewal applicants on the Islands fully understood the new Water Management Regulations (discussed below), and to give proper consideration to all permit renewal applications within the basin. Pursuant to M.G.L. c.30A, Section 13, and 310 CMR 36.18(7), the Golf Club of Marthas Vineyard's amended permit will continue in force and effect until MassDEP issues a final decision on its renewal application.

In accordance with 310 CMR 36.17(1), the expiration date for all new permits in the Islands Basin will be June 4, 2032.

The Water Management Act (M.G.L.c. 21G)

The Water Management Act (Act) requires that MassDEP issue permits that balance a variety of

factors including without limitation:

- Impact of the withdrawal on other sources of water;
- Time of year when the withdrawal will be made;
- Water available within the safe yield of the source;
- Reasonable protection of existing water uses, land values, investments and enterprises;
- Proposed use of the water and other existing or projected uses of water from the water source;
- Municipal and Massachusetts Water Resources Commission (WRC) water resource management plans;
- Reasonable conservation consistent with efficient water use;
- Reasonable protection of public drinking water supplies, water quality, wastewater treatment capacity, waste assimilation capacity, groundwater recharge areas, navigation, hydropower resources, water-based recreation, wetland habitat, fish and wildlife, agriculture, floodplains; and
- Reasonable economic development and job creation.

Water Management Regulation Revisions

In 2010 the Executive Office of Energy and Environmental Affairs (EEA) convened the Sustainable Water Management Initiative (SWMI) for the purpose of incorporating the best available science into the management of the Commonwealth's water resources. SWMI was a multi-year process that included a wide range of stakeholders and support from the Departments of Environmental Protection, Fish and Game, and Conservation and Recreation. In November 2012 the *Massachusetts Sustainable Water Management Initiative Framework Summary* (<https://www.mass.gov/files/documents/2016/08/wf/swmi-framework-nov-2012.pdf>) was released.

On November 7, 2014, the Department adopted revised Water Management Regulations at 310 CMR 36.00 that incorporate elements of the SWMI framework and the Water Conservation Standards adopted by the Massachusetts WRC. The regulations reflect a carefully developed balance to protect the health of Massachusetts' water bodies while meeting the needs of businesses and communities for water.

Without limitation, the Department has incorporated the following into Water Management permitting:

- Safe yield determinations for the major river basins based on a new methodology developed through SWMI (see the Safe Yield in the Islands Basin section of this document);
- Water conservation and performance standards reviewed and approved by the WRC in July 2018 (<https://www.mass.gov/files/documents/2018/09/11/ma-water-conservation-standards-2018.pdf>), including without limitation;
- Environmental protections developed through SWMI, including without limitation;
 - protection for coldwater fish resources;
 - minimization of withdrawal impacts in areas stressed by groundwater use;

Safe Yield in the Islands Basin

This permit is being issued under the Safe Yield methodology adopted by MassDEP on November 7, 2014, and described in the Regulations at 310 CMR 36.13. As of the date of

issuance of this permit, the safe yield for the Islands Basin water source is 104.40 million gallons per day (MGD), and total allocated withdrawals are 8.01 MGD. The maximum withdrawals that will be authorized in this permit, and all other permits currently under review by the Department within the Islands Basin, will be within the remaining safe yield and may be further conditioned as outlined in the regulations.

Findings of Fact for Permit Conditions in Golf Club of Marthas Vineyard's Water Management Act Permit

The Findings of Fact for the special conditions included in the permit generally describe the rationale and background for each special condition in the permit. This summary of permit special conditions is not intended to, and should not be construed as, modifying any of the permit special conditions. In the event of any ambiguity between this summary and the actual permit conditions, the permit language shall control.

Special Condition 1, Maximum Authorized Annual Average Withdrawal Volume, reflects the previously permitted volume of 0.15 million gallons per day (MGD) over the 180-day irrigation season for a total of 27.00 million gallons per year (MGY). This rate has not been changed from the previous permit.

Special Condition 2, Maximum Authorized Daily Withdrawal From Withdrawal Point, reflects that the groundwater source Irrigation Well in the Islands Basin is authorized to withdraw up to a maximum daily volume of 0.15 MGD. Withdrawals in excess of these maximum daily rates require approval from the Department.

Special Condition 3, Water Conservation Requirements, have been updated and now incorporates the water conservation requirements that are subject to the July 2018 Water Conservation Standards for the Commonwealth of Massachusetts (<https://www.mass.gov/files/documents/2018/09/11/ma-water-conservation-standards-2018.pdf>).

Special Condition 4, Chapter 30, Section 61 Permit Findings, have been updated. This condition acknowledged preparation of an Environmental Impact Report under MEPA. In conditioning the permit, MassDEP ensured that the applicant would use all feasible means or measures to avoid, minimize, or mitigate damage to the Environment. Measures that MassDEP deemed necessary to mitigate or prevent harm to the environment have been updated and are included in Special Conditions #3, 5, and 6 of this permit. MassDEP determined that the withdrawal, as conditioned in the Permit, would not cause damage to the Environment.

Special Condition 5, Seasonal Demand Management Plan

Consistent with good water conservation practices, permitted golf courses will be required to implement a drought triggered Seasonal Demand Management Plan (SDMP) as a condition of their Water Management Permit. The SDMP, at a minimum, restricts nonessential outdoor water use between May 1st and September 30th when the Massachusetts Drought Management Task Force declares a drought level of "Mild Drought" or higher ("Significant Drought, Critical Drought or Emergency Drought") for the region in which the golf course is located.

The SDMP shall also be implemented at times when groundwater level falls below a designated groundwater trigger measured at an assigned, web-based, real-time U.S. Geologic Survey (USGS) groundwater gage from May 1st through September 30th. At a minimum, restrictions shall commence when groundwater levels decline to or below the trigger for 60 consecutive days. The monthly trigger levels are the period of record's monthly 25th percentile depth below land surface in a local well, as determined and published by the USGS. Restrictions could start on May 1st, so monitoring of the well shall begin on March 1st of each year. The groundwater-triggered response actions shall be consistent with the drought-triggered response actions at the Mild Drought level. Once implemented, the restrictions shall remain in place until the daily value of the groundwater levels at the assigned USGS monitoring well have been recovered to less than the trigger for 30 consecutive days.

The Golf Club of Marthas Vineyard has been assigned the USGS monitoring well # 412346070353403 (ENW-52) in Edgartown, MA. The proposed monthly groundwater trigger values are shown in Table 4 in permit. Should the reliability of the ENW-52 monitoring well be so impaired as to question its accuracy, the Permittee may request MassDEP's review and approval to transfer to another monitoring well to trigger restrictions. MassDEP reserves the right to require use of a different groundwater trigger.

The Golf Club of Marthas Vineyard shall be responsible for tracking the Massachusetts Drought Management Task Force drought declarations and recording when drought-triggered restrictions are implemented. The Golf Club of Marthas Vineyard shall also be responsible for tracking groundwater levels and recording when groundwater-triggered restrictions are implemented. See the attached USGS WaterAlert instructions for tracking information.

The SDMP is intended to address the necessary minimums of acceptable demand management required as dry conditions begin to impact our environment from May through September. Of particular importance in developing your SDMP and in evaluating its effect on your golf course's irrigation, is the recognition of nonessential outside water uses. MassDEP considers the irrigation of tees and greens as essential uses, but fairways and roughs less so.

Section C of the SDMP provides three options for water use reduction. Two options for water use reduction are in table format with the third option being an open-ended alternative approach. The Acres Table requires that you identify the number of acres you irrigate for tees and greens, fairways, roughs, landscaping and ornamentals, along with a percent reduction per unit area with worsening drought. The Time-Table requires that you identify irrigation in timing reduction cycles.

Vineyard submitted a SDMP dated February 1, 2024, that included the Acres-Table reduction approach (See Table 5 in permit). This approach has been incorporated into the permit.

Special Condition 6, Mitigation of Impacts for Withdrawals that Exceed Baseline, the renewed permit will include a condition that requires mitigation of withdrawals over a baseline volume, if feasible, if future withdrawals exceed the assigned baseline volume. Baseline withdrawal means the volume of water withdrawn during calendar year 2005 plus 5%, or the average annual volume withdrawn from 2003 through 2005 plus 5%, whichever is greater provided that:

- (a) baseline cannot be less than a permittee's registered volume;
- (b) baseline cannot be greater than the permittee's authorized volume for 2005; and
- (c) if, during the period from 2003 to 2005, the permittee's withdrawals from the water source were interrupted due to contamination of the source or construction of a treatment plant, the Department will use best available data to establish a baseline volume from the water source.

The calculated baseline withdrawal volume for the Golf Club of Marthas Vineyard is 0.15 MGD, which is the 2005 authorized withdrawal volume. Because the Golf Club of Marthas Vineyard's authorized withdrawal volume is 0.15 MGD and does not exceed its baseline volume, no mitigation measures are required at this time.

Minimization of Groundwater Withdrawal Impacts in Stressed Subbasins, requires permittees with permitted groundwater sources in subbasins¹ with net groundwater depletion of 25% or more during August to minimize their withdrawal impacts on those subbasins to the greatest extent feasible.

Since the Golf Club of Marthas Vineyard's permitted sources are located in the Islands Basin where August net groundwater depletion has not been established, they are not currently required to implement measures to minimize the withdrawal impact.

Coldwater Fish Resource Protection was incorporated into the Water Management Regulations in November 2014. Coldwater Fish Resource Protection is not a condition of this permit because Vineyard's withdrawals do not impact any waters that MA Division of Fisheries and Wildlife has identified as supporting coldwater fish at this time.

¹ Subbasins used for WMA permitting are the 1,395 subbasins delineated by the U.S. Geological Survey in *Indicators of Streamflow Alteration, Habitat Fragmentation, Impervious Cover, and Water Quality for Massachusetts Stream Basins* (Weiskel et al., 2010, USGS SIR 2009-5272).



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Commissioner

WATER WITHDRAWAL PERMIT

Golf Club of Marthas Vineyard

Water Management Act Permit #9P2-4-23-089.02

This permit is issued pursuant to the Massachusetts Water Management Act (WMA) for the sole purpose of authorizing the withdrawal of a volume of water as stated below and subject to the following special and general conditions. This permit conveys no right in or to any property beyond the right to withdraw the volume of water for which it is issued.

PERMIT NUMBER: 9P2-4-23-089.02

RIVER BASIN: Islands

PERMITTEE: Golf Club of Marthas Vineyard

EFFECTIVE DATE: July 18, 2024

EXPIRATION DATE: June 4, 2032

NUMBER OF WITHDRAWAL POINTS: 1

Groundwater: 1

Surface Water: 0

USE: Golf Course Irrigation

DAYS OF OPERATION: 180

LOCATION:

Source Name	Source ID	Latitude	Longitude	Location
IRRIGATION WELL	WM4892-01G	41°23'36"N	70°33'24" W	West Tisbury Road, Edgartown

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

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SPECIAL CONDITIONS

1. Maximum Authorized Annual Average Withdrawal Volume

This permit authorizes Golf Club of Marthas Vineyard to withdraw water from the Islands Basin at the rate described below in Table 1. The permitted volume is expressed both as an annual average daily withdrawal rate (million gallons per day or MGD), and as a total annual withdrawal volume (million gallons per year or MGY) for each permit period over the term of this permit.

The Department of Environmental Protection (MassDEP) bases these withdrawal volumes on the raw water volume from the authorized withdrawal points and will use the raw water volume to assess compliance with the permitted withdrawal volumes.

Table 1: Maximum Authorized Annual Withdrawal Volumes

Permit Periods	Total Raw Water Withdrawal Volumes	
	Daily Average (MGD)	Total Annual (MGY)
7/18/2024 to 6/4/2032	0.15	27.00

2. Maximum Authorized Daily Withdrawals from Withdrawal Point

Withdrawals from individual withdrawal points are not to exceed the approved maximum daily volumes listed in Table 2 without specific advance written approval from MassDEP. The authorized maximum daily volume is the approved rate of each source. In no event shall the combined withdrawals from the individual withdrawal points exceed the withdrawal volumes authorized above in Special Condition 1.

Table 2: Maximum Daily Withdrawal Volumes

Source Name	WMA Unique Source ID	Maximum Daily Rate (MGD)
IRRIGATION WELL	WM4892-01G	0.15

3. Water Conservation Requirements

Golf Club of Marthas Vineyard shall implement the following water conservation requirements (Table 3).

Table 3. Water Conservation Requirements

a. Metering 100% of water use, and calibrating source meters annually.
b. Implementation of an irrigation system inspection and maintenance program that includes the following on a routine basis: <ul style="list-style-type: none"> • Leak detection and repair: Daily monitoring of the golf course to insure no leaks throughout the system are present. • Weekly Sprinkler head maintenance and replacement to ensure proper trajectory, pressure, and rotation • Weekly cleaning or replacing clogged nozzles.
c. Use of a computerized-control irrigation system that allows for irrigation of only those areas in need.
d. Use of portable soil moisture sensors and golf weather apps to increase the efficiency of the irrigation system
e. Irrigating in the early morning or evening hours when evaporation rates are at their lowest, to extent practicable to maintain the turf
f. Regular aerating of turf to increase the percolation of water into the soil
g. Use of mulch materials in planting beds to improve water-holding capacity of the landscaping
h. Use of environmentally safe wetting agents to improve water infiltration and minimize evaporation
i. Use of low water use or native drought tolerant plants to the greatest extent practicable
j. Employee training in water conservation and management

4. Chapter 30, Section 61 Permit Findings

Golf Club of Marthas Vineyard's Environmental Impact Report was carefully considered prior to action on their permit request. MassDEP, in issuing this permit, has required that the applicant use all feasible means or measures to avoid or minimize adverse environmental impacts. Measures that MassDEP deems necessary to mitigate or prevent harm to the environment are included in these conditions of approval.

5. Seasonal Demand Management Plan

Golf Club of Marthas Vineyard shall limit nonessential outdoor water use through mandatory restrictions from May 1st through September 30th as outlined in the Seasonal Demand Management Plan (SDMP). At a minimum, restrictions shall commence when the Massachusetts Drought Management Task Force declares a Level 1- Mild Drought or higher Level 2- Significant Drought, Level 3-Critical Drought, or Level 4-Emergency Drought for the region in which the golf course is located.

The SDMP shall also be implemented at times when groundwater level falls below a designated groundwater trigger measured at an assigned, web-based, real-time U.S. Geologic Survey (USGS) groundwater gage from May 1st through September 30th. At a minimum, restrictions shall commence when groundwater levels decline to or below the trigger for 60 consecutive days. The monthly trigger levels are the period of record's monthly 25th percentile depth below land surface in a local well, as determined and published by the USGS. Restrictions could start

on May 1st, so monitoring of the well shall begin on March 1st of each year. The groundwater-triggered response actions shall be consistent with the drought-triggered response actions at the Mild Drought level. Once implemented, the restrictions shall remain in place until the daily value of the groundwater levels at the assigned USGS monitoring well have been recovered to less than the trigger for 30 consecutive days.

The Golf Club of Marthas Vineyard has been assigned the USGS monitoring well # 412346070353403 (ENW-52) in Edgartown, MA. The proposed monthly groundwater trigger values are shown below in Table 4. Should the reliability of the ENW-52 monitoring well be so impaired as to question its accuracy, the Permittee may request MassDEP's review and approval to transfer to another monitoring well to trigger restrictions. MassDEP reserves the right to require use of a different groundwater trigger.

Table 4. Groundwater Trigger Levels for ENW-52 Edgartown, MA

Groundwater-Level Triggers (feet below land surface)						
March	April	May	June	July	August	Sept
19.06	18.56	18.18	17.96	18.14	18.47	18.77

The Golf Club of Marthas Vineyard is using the Acres Table Option for its SDMP, which requires that the club identifies irrigation acreages for tees and greens, fairways, roughs, landscaping and ornamentals, along with a percent reduction per unit area with worsening drought (Table 5).

Table 5. Golf Club of Marthas Vineyard Seasonal Demand Management Plan

Irrigating Less Acreage as Drought Severity Increases Watering allowed up to designated percent								
Massachusetts Drought Level	Irrigated Tees & Greens		Irrigated Fairways		Irrigated Roughs		Irrigated Landscape & Ornamentals	
	Percent	Acres	Percent	Acres	Percent	Acres	Percent	Acres
Normal	100%	8	100%	9	100%	8	100%	6
Mild Drought or WMA Permit Trigger is reached	100%	6	80%†	7	50%†	4	0%**	
Significant Drought	100%	4	60%†	5.4	0%			
Critical Drought	100%	4	40%†	3.6				
Emergency *	TBD		0%				0%	
† Irrigation use shall not occur between the hours of 9 a.m. and 5 p.m., except that hand-watering of hot spots may occur at any time								
* Additional actions to be determined by the Governor’s Emergency Proclamation.								
** Courses whose core business includes a special event venue may continue to irrigate gardens, flowers and ornamental plants by means of hand-held hose or drip irrigation during a Mild, Significant, or Critical Drought.								

General Permit Conditions (applicable to all Permittees)

1. **Duty to Comply** The Permittee shall comply at all times with the terms and conditions of this permit, the Act and all applicable State and Federal statutes and regulations.
2. **Operation and Maintenance** The Permittee shall at all times properly operate and maintain all facilities and equipment installed or used to withdraw up to the authorized volume so as not to impair the purposes and interests of the Act.
3. **Entry and Inspections** The Permittee or the Permittee's agent shall allow personnel or authorized agents or employees of MassDEP to enter and examine any property, inspect and monitor the withdrawal, and inspect and copy any relevant records, for the purpose of determining compliance with this permit, the Act or the regulations published pursuant thereto, upon presentation of proper identification and an oral statement of purpose.
4. **Water Emergency** Withdrawal volumes authorized by this permit are subject to restriction in any water emergency declared by MassDEP pursuant to M.G.L. c. 21G, §§ 15-17, M.G.L. c. 111, § 160, or any other enabling authority.
5. **Transfer of Permits** This permit shall not be transferred in whole or in part unless and until MassDEP approves such transfer in writing, pursuant to a transfer application on forms provided by MassDEP requesting such approval and received by MassDEP at least thirty (30) days before the effective date of the proposed transfer. No transfer application shall be deemed filed unless it is accompanied by the applicable transfer fee established by 310 CMR 36.37.
6. **Duty to Report** The Permittee shall submit annually, on a form provided by MassDEP, a certified statement of the withdrawal. Such report is to be received by MassDEP by the date specified by MassDEP. Such report must be mailed or hand delivered to the address specified on the report form.
7. **Duty to Maintain Records** The Permittee shall be responsible for maintaining withdrawal records as specified by this permit.
8. **Metering** Withdrawal points shall be metered. Meters shall be calibrated annually. Meter shall be maintained and replaced as necessary to ensure the accuracy of the withdrawal records.
9. **Amendment, Suspension or Termination** The Department may amend, suspend or terminate this permit in accordance with M.G.L. c. 21G or 310 CMR 36.29.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Permit by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.01 within twenty-one (21) days of its receipt of this Permit. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Permit shall be included with a Notice of Claim. No request for an appeal of this Permit shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in

the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Permittee, unless such person notifies the Permittee of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent by certified mail or hand delivered to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, Suite 900
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of \$100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



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

July 18, 2024
Date

ATTACHMENT

Instructions for Accessing U.S. Geologic Survey Groundwater Level and Massachusetts Drought Status Information

Groundwater level information is available at the USGS National Water Information System (NWIS): Web Interface. The USGS NWIS default shows Massachusetts groundwater levels in real time, i.e., the most recent, usually hourly, water level measured and recorded at each USGS monitoring well.

Seasonal Limits on Nonessential Outdoor Water Use are implemented when the daily mean depth to water level exceeds the designated trigger for 60 consecutive days (i.e., when the depth to water becomes larger than the trigger value as the water table elevation declines). The daily water level is compared to the trigger for that month. **To determine if restrictions must be implemented on May 1 it is necessary to monitor the daily water level in March and April.**

Mean daily groundwater level readings are available at the USGS NWIS Web Interface at http://waterdata.usgs.gov/ma/nwis/current/?type=gw&group_key=county_cd

- Scroll down to 412346070353403 MA-ENW 52 EDGARTOWN, MA
- Click on the station number.
- Under the dropdown menu “Data inventory” on the top of the website, click on “Daily Data”
- Under “Available Parameters” click on “72019 Water level, depth LSD (Mean)”.
- Under “Output format” click on “Table” and enter the number of days of records (the default is 7 days; entering 60 will give you the past 60 days of data) or the desired date range (from “Begin date” to “End date”) and hit “GO”.
- The table provides the “Daily Mean Depth to water level, feet below land surface” for the most recent number of days or desired date range chosen.
- Compare each day’s value to its month’s trigger value (25th percentile) in your permit. Outdoor water use restrictions must be implemented when the daily depth to water has been at or below (i.e. a greater value than) the trigger values for 60 consecutive days.

Drought Status information is available at <https://www.mass.gov/info-details/drought-status>.

- Restrictions are implemented when a Mild Drought, Significant Drought, Critical Drought or Emergency Drought is announced in your region through the website.