

# ITA PERFORMANCE STANDARDS

Updates and Revisions

August 8, 2019

# BACKGROUND

- ◉ The Interbasin Transfer Act requires that certain measures “have been” implemented before a transfer can be approved
- ◉ WRC was sued for allowing (as a condition of the approval) certain measures for compliance with the criteria to be implemented after approval. Plaintiffs also argued that the Act requires a “higher bar” for ITA approval
- ◉ Not always possible to fully comply with all criteria prior to approval
- ◉ Out of court settlement resulted in development of Performance Standards in 1999, with inclusion of the “higher bar”

# PERFORMANCE STANDARDS

- Approved in 1999 with a 2 year transition period
- Meant to be “Rebuttable Presumptions” i.e. if an applicant could demonstrate they were meeting the criteria in other ways, the Commission could accept this
- No specific Performance Standards for “Reasonable Instream Flow” or “Cumulative Impacts” Criteria - These are evaluated on a case-by-case basis
- Apply only to a Full ITA review (not applicable to a Request for Determination of Insignificance)

# SINCE 1999 ...

- ◉ Improvements in Water Conservation Technology
- ◉ Updated the MA Water Conservation Standards
- ◉ Revision of ITA Regulations
- ◉ Improved Environmental Science

HENCE, THE UPDATE OF  
THE PERFORMANCE  
STANDARDS

# WHAT'S NEW

- ◉ Adding a section for a Regional Supply System (Donor and Receiving)
- ◉ Updating to reflect revised ITA Regulations and Water Conservation Standards
- ◉ Eliminating Local Water Resources Management Plan Standards
- ◉ Updating Guidance on Development of Rate Structures Which Encourage Water Conservation
- ◉ (No substantive changes to the Wastewater Transfer section)

# MOST SPECIFIC CHANGES ARE TO THE WATER CONSERVATION SECTION

- RGPCD: Still states that if Standard is not met, applicant should be implementing a comprehensive residential water conservation program (i.e. the application WON'T be denied) but we are considering reducing the goal (currently at 65)
- Eliminate 10% unaccounted-for water standard, but require a that a comprehensive water loss control program be in place
- Monthly billing (rather than quarterly)

# QUESTIONS AND DISCUSSION