



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

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**Meeting Minutes for June 13, 2024**

Meeting conducted remotely via Zoom meeting platform, 1:00 p.m.

*Minutes approved September 12, 2024*

**Members in Attendance:**

Vandana Rao	Designee, Executive Office of Energy and Environmental Affairs (EEA)
Duane LeVangie	Designee, Department of Environmental Protection (MassDEP)
Tyler Soleau	Designee, Massachusetts Office of Coastal Zone Management (CZM)
Anne Carroll	Designee, Department of Conservation and Recreation (DCR)
Todd Richards	Designee, Department of Fish and Game (DFG)
Hotze Wijnja	Designee, Department of Agricultural Resources (DAR)
Christine Hatch	Public Member
Vincent Ragucci	Public Member
Kenneth Weismantel	Public Member
Samantha Woods	Public Member

**Members Absent**      **None**

Thomas Cambareri	Public Member
Chris Kluchman	Designee, Executive Office of Housing and Livable Communities (EOHLC)

**Others in Attendance:**

Jason Duff	DCR OWR
Vanessa Curran	DCR OWR
Moussa Siri	WSCAC
Viki Zoltay	DCR OWR
Purvi Patel	EEA
Anushka Diddee	DCR OWR intern
Anissa Patel	DCR OWR intern
Erin Graham	OWR
Toni Stewart	DCR OWR
Jennifer Pederson	MWWA
Kara Sliwoski	DCR OWR
Nadia Madden	DCR FHMP
Sara Cohen	DCR
Viki Zoltay	DCR
Becca George	EOHLC
Kate Bentsen	DER
Marcel Belaval	USGS
Richard Bradley	Superscape Landscape
Andreae Downs	Wastewater Advisory Committee
Ellen Douglas	AECOM
Hilary Monahan	MWRA

Rebecca Weidman	MWRA
Caitlin Messer	Town of Concord
Corey Godfrey	Littleton Electric Light & Water Department
Melissa Simoncini	Town of Concord

### **Agenda Item #1: Welcome and Introductions**

Rao called the meeting to order at 12:11 PM. She welcomed everyone to the first of two in-person meetings for the year, introduced herself, and then asked for a formal round of introductions. Commissioners, WRC staff, and other attendees both in-person and online introduced themselves. Rao announced that the meeting was being recorded for the purpose of meeting minutes and all votes would be taken by roll call. She invited those online who wish to speak during the meeting to indicate this in the chat window. The roll call was not taken because commissioner attendance was recorded on the meeting attendance sheet.

### **Agenda Item #2: Executive Director's Report**

Rao said that this year the WRC has done a lot of work on flooding, focusing on understanding and characterizing floods, developing tools to identify flood-prone areas, and assessing vulnerabilities, particularly for environmental justice (EJ) populations. A new project with USGS is underway to create a platform for flooding information. This platform will consolidate existing data and models, allow for future, more detailed modeling, utilize projections of future precipitation and be accessible to the general public. The project is seeking input from FEMA and other federal and state agencies, as well as user groups on what functionality they would like to see on the platform. An interagency group is also being formed to discuss various aspects of flooding, including monitoring and modeling, preparedness, response, mitigation strategies such as land use changes, and the potential development of a statewide flood management plan.

Carroll noted that Rachael Belisle-Toler from Ipswich Utilities was recognized by the Alliance for Water Efficiency as an up-and-comer for her work in water conservation. Her efforts include leading outreach programs, collaborating on the North Shore Task Force, and developing a native plant palette for the state.

Bentsen announced Amber Carr as the new Municipal Assistance Grant Program Grants Administrator at DER. They are also partnering with the MassWildlife Association on a dam removal project on the Quinepoxet River.

Wijnja shared details about a recent science and wildlife meeting organized by UMass Extension at Tangerini's Farm. The meeting showcased a water management system that improves drainage and treats nitrogen leaching. Handouts describing the system are available upon request.

Soleau announced that CZM recently hired Deanna Moran to serve as the new Chief Coastal Resilience Officer. Soleau also announced the deadline for the Coastal Resiliency Grant Program (RFR) application as July 19th.

Richards announced Rebecca Quiñones' promotion to Head of Science for the Natural Heritage and Endangered Species Program. MassWildlife now has a vacancy for a permitting and fisheries specialist position and encouraged qualified candidates to apply.

LeVangie reported on DEP's recent hiring efforts. DEP brought on new staff in the Bureau of Water Resources to focus on climate issues, such as wetlands restoration and drought management. Additionally, they hired seven Environmental Justice Coordinators to improve outreach efforts. Finally, DEP addressed the growing concern of cybersecurity for drinking water and wastewater systems. They recently closed their first grant program to support cybersecurity assessments for water suppliers.

### **Agenda Item #3: Update: Hydrologic Conditions**

Rao introduced Graham to present the Hydrologic Conditions Report for May 2024. Graham highlighted the report's cover photo that shows the high-water levels at Walden Pond.

- *Temperature*: Monthly average temperatures were mostly above normal with the southeastern part of the state normal. According to the Northeast Regional Climate Center (NRCC), Massachusetts had its ninth warmest May on record.
- *Precipitation*: May regional precipitation was normal in the Western, CTRV, and Northeast Regions and above normal in the Central, Southeast, Cape Cod, and Islands Regions. According to the NRCC, the Worcester climate site had its second wettest May on record.
- *Snow Cover*: No data. This index is only reported seasonally.
- *Evapotranspiration*: As of May 31, 2024, the 1-month EDDI values were normal in the Western, CTRV, and Islands Regions. The remaining Regions had less demand than normal. The 2-month EDDI values, which are used in the MA Drought Plan monitoring, were normal in the Cape Cod and Islands Regions, and the remaining Regions had less demand than normal.
- *Keetch-Byram Drought Index*: At the end of May, the Keetch Byram Drought Index (KBDI) was in the normal range in all Regions.
- *Streamflow*: The medians of individual stream gages ranged from below normal to above normal. The Western Region is at ISL 1 while in the Southeast and Cape Cod Regions, three gages were above their respective 90th percentile values.
- *Flooding*: The Norton/Boston and Albany NWS E-5 Monthly Reports of Hydrologic Conditions did not indicate river flooding at forecast points during May nor were there any warnings for forecast points. There were some areal and flash flood warnings on May 26th, May 21st, and May 23rd as well as local storm flood reports for those days.
- *Groundwater*: May groundwater levels ranged from below normal to much above normal. Regional medians were normal except for the Southeast Region, which was above normal.
- *Lakes & Impoundments*: At the end of May, reported lake and impoundment levels were above their 30th percentile and/or were at or near 100% full.
- *MA Drought status*: All Regions are Level 0 Normal Conditions.
- *US Drought Monitor (USDM)*: At the end of May, the USDM showed no areas of drought or abnormal dryness.
- *NOAA Climate Prediction Center outlooks*: NOAA's June outlook shows chances leaning for above-normal temperatures and chances leaning for above-normal precipitation. The 3-month outlook shows chances likely for above-normal temperatures and chances leaning

for above-normal precipitation. Neither the monthly nor seasonal drought outlooks show drought development.

**Agenda Item #4: Vote on Meeting Minutes, March 2024**

Rao invited a motion to accept the meeting minutes for March 14, 2024.

V O T E	A motion was made by Hatch with a second by Weismantel to approve the meeting minutes for March 14, 2024.
	The vote to accept was unanimous among those present.

**Agenda Item #5: VOTE: Final WRC FY25 Work Plan**

Rao introduced the agenda item and reminded attendees of the detailed presentation last month. Carroll provided an overview of the revised layout of the Work Plan that now includes useful links to documents, regulations, and enabling legislation. Each section describes routine activities with updates of ongoing projects at the end. Carroll reviewed each section’s title with some highlights. For Water Conservation, she noted the extensive work being completed including the Native Plant Palette. Under the Interbasin Transfer Act, she noted the Performance Standards which were presented in detail later in the meeting. For Flooding, there is a significant amount of work being conducted, some of which Rao had discussed previously in the meeting. As Rao noted, new staff have joined allowing for so much work to be conducted. She brought attention to the PL566 Program which will come to the WRC in the fall to start providing annual updates. This may be combined with a site visit to one of the flood control facilities. Significant work is listed under Stakeholder Engagement such as the North Shore Resilience Task Force and a similar effort starting up in the Southeast.

Rao added that Zoltay has been busy working with an interagency group on where to establish new locations for hydrological monitoring given expanded funding. These locations will be implemented in the coming fiscal year with the additional funding received. These locations may include not only streamflow and groundwater but also precipitation and tide stations. For tide stations, coordination with NOAA and CZM are underway including discussion on who might be the lead for these types of stations. This is a significant step with almost a 60% increase in budget and there are plenty of spatial gaps to fill across the state. Rao thanked all the staff who are working with WRC staff on this project.

Baskin noted the tremendous amount of work and the robust staff listed on the first page to complete all this work, enabling the exploration of topic areas not covered before. Woods also thanked the staff for their work and especially for the stakeholder engagement work which has been a long journey. She is thankful that the WRC will continue to support such work. Ragucci also noted the great work being done and thanked the staff.

V O T E	A motion was made by Weismantel with a second by Hatch to approve the final WRC FY25 work plan.
	The vote to accept was unanimous among those present.

**Agenda Item #6: VOTE: To Accept as Complete the Littleton Electric Light and Water Department's Application for Approval of an Action to Increase the Present Rate of Interbasin Transfer of Water**

Rao introduced the agenda item and reminded commissioners of the process of an Interbasin Transfer review such as the current one. Rao introduced Curran to provide the presentation. The presentation is posted online at: <https://www.mass.gov/info-details/review-the-meetings-of-the-water-resources-commission>

Curran began with a review of the project proponent, the Littleton Electric Light & Water Department, and an overview of the major basins involved in the project. The proposal is to supply 65,000 gallons of water per day to Boxborough, 60,000 of which are subject to the Interbasin Transfer Act. The purpose of the project is to provide clean drinking water to areas of Boxborough that are contaminated with PFAS and/or sodium and chloride. Curran then reviewed the spatial layout of the towns, noting the proposed well and water main. There are 11 individualized water systems that will be receiving water from Littleton. Curran discussed the timeline of the project and noted that it was anticipated that Littleton could come under a Request for Determination of Insignificance. In April 2024, the Natural Heritage and Endangered Species Program from MassWildlife informed the proponent that the new well component of the project was going to result in a take of a state-listed species. This project can now no longer meet one of the criteria for insignificance and needed to come to the WRC for a full review under the Interbasin Transfer Act.

Curran continued reviewing the details of the project, providing specific spatial layouts of Littleton's water sources and the contaminated water supplies in Boxborough. Littleton also had to file with MEPA regardless of the ITA process. Curran described the timeline of the SEIR as well as supplemental information Littleton submitted to MEPA that would not have been looked at under an insignificance review. The MEPA Certificate was issued on May 17<sup>th</sup>, 2024. WRC staff feels that they have enough to continue to review the merits of the application, and the staff's next step is to request the commission's vote to accept the application as complete. Curran noted the timeline for the review given by the regulations, as well as the public hearings, which are scheduled for July 24<sup>th</sup>, 2024 at 11:00 a.m. and July 25<sup>th</sup>, 2024 at 1:00 p.m. virtually on Zoom. Next steps are a presentation of the draft staff recommendation at the August commission meeting; a 3<sup>rd</sup> public hearing on August 15; and a vote on the staff recommendation at the September commission meeting.

Ragucci disclosed a potential conflict of interest and noted that out of an abundance of caution, he would be abstaining from the vote. Baskin commented that this project is a high priority for MassDEP because the affected communities do not have the funds to put together treatment processes in their own facilities. MassDEP has put together different sources of funding for this project, including an SRF loan, DOT funding, and an EPA grant program. Baskin thanks the agencies who are working together in a tight time frame, noting that the permit streamlining has enabled Littleton and Boxborough to meet their obligations. Rao noted the unique nature of this project and how it had to change course midway through the MEPA process. The applicant had to pull together information quickly as part of its MEPA filing and interbasin transfer application.

Littleton was very responsive throughout the process and provided the necessary information during the MEPA process. Curran then introduced Corey Godfrey, the Superintendent of LELWD. Godfrey thanked the commission for reviewing the application and for their help on the project.

Weismantel asked about the timeline and what the usual timeline of a review might look like. Curran explained that the timeline of the review was more extensive than usual due to the MESA issue, and if the RDI continued, this review would have concluded months ago. Weismantel brought up the importance of potentially shortening the timeline required in the regulations for the process to be more streamlined for communities in need. Rao responded that the staff tries to work with municipalities as early as possible to catch issues with reviews.

Woods asked about the application materials and how they aligned with the criteria noted in the presentation. Curran clarified that the specific criteria in the slides were brought up because those were the ones that needed additional information for MEPA and WRC staff. Rao noted that in the future, a slide could be included with the criteria for the Interbasin Transfer Act. Wijnja asked what the state-listed species was that affected the review. Curran responded that it was the Blanding's turtle. Littleton will most likely be subject to a Conservation Management Plan (CMP). Rao notes that the CMP would be in the conditions of the final Decision of the WRC. Baskin commented that MassDEP pulls the CMP and the ITA Decision conditions into the Water Management Act. Richards thanked Misty-Anne Marold of MassWildlife and all of those involved with the project who have helped with the special resources aspect of the review.

Zoltay read Peterson's question regarding process changes to prevent a similar pivot from happening in the future. Baskin noted it would be hard to take that up with MESA. Rao responded that timing may always be an issue and staff try to make sure everyone is aligned. Godfrey added that Misty-Anne Marold has really helped LELWD on the path to the CMP.

Hatch asked about viable sources and whether efforts have been made to deal with contamination before resorting to an interbasin transfer. Curran noted that Criterion 2 asks proponents to do an extensive alternatives analysis, which considers the efforts Hatch noted. Once the review begins, WRC staff will see whether Littleton appropriately undertook said analysis. Baskin added that it would be costly to construct new water sources for each individual system, especially since this is a low-income area of Boxborough. Rao continued that the staff works with the applicant for an extensive period before MEPA so they can ensure that the applicant has examined all viable sources.

Woods asked a question about the conditions when the pumping tests were completed. Curran responded that the 2022 pumping test was during a drought and the 2024 test was during much higher precipitation levels. Baskin added that the 2022 test was to support the development of the well and the 2024 test was in response to the MESA and MassWildlife issue. Richards explained that there is an opportunity to run the pump tests in a more efficient way, considering the conditions at the time. Rao noted that that will be part of the review and the monitoring process.

V O T E	<p>A motion was made by Baskin with a second by Weismantel to Accept as Complete the Littleton Electric Light and Water Department's Application for Approval of an Action to Increase the Present Rate of Interbasin Transfer of Water.</p> <p>The vote to accept was unanimous among those present with the exception of Ragucci who abstained due to a potential conflict of interest.</p>
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**Agenda Item #7: Presentation: Proposed Revisions to the Interbasin Transfer Act Performance Standards (2024 PS)**

Rao introduced the agenda item and reminded commissioners that ITA regulations (updated in 2018) interpret the Act and layout the criteria for how the WRC will evaluate interbasin transfers. The ITA Performance Standards (PS) provide guidance on what applicants should be submitting to WRC staff and what is expected for each criterion. Rao noted that the 2024 PS are based on the updated regulations and water conservation standards and on lessons learned from past applications (both the water and wastewater) to better guide applicants in preparing their application. Rao introduced Carroll to provide the presentation, which is posted online at: <https://www.mass.gov/info-details/review-the-meetings-of-the-water-resources-commission>

Carroll provided an overview of the update including a brief timeline of the ITA and PS updates and edits since 1984, its purpose and applicability, and then highlighted the changes in the guidance for each of the criterion. Carroll emphasized the three major reasons for the update: update of regulations in 2018; update of water conservation standards, which are tightly tied to criterion 3; and making sure that industry advances in water efficiency and best practices were reflected. She described how WRC staff worked to improve the organizational structure of the PS to make it clearer and more readable for applicants so they understand how their applications will be evaluated to meet the purpose and intent of the ITA and associated regulations. The 2024 PS is organized by the seven criteria with a crosswalk for the three different major types of transfers (water supply, wastewater, and wastewater triggered by the development of a water supply). Previous PS were organized by the types of transfer. The crosswalk is intended to clearly convey when a criterion would be applicable for a particular type of transfer. Carroll stated that the PS emphasizes in several places that the applicant should consult with WRC staff for guidance early in the process. The 2024 PS continues to acknowledge review considerations for local conditions and extenuating circumstances.

Criterion 1 (Compliance with MEPA) remains largely unchanged. An Environmental Impact Report (EIR) continues to be the ITA application for WRC review. The PS update acknowledges two new environmental justice (EJ) protocols which address new public involvement and analysis requirements for projects undergoing MEPA review set forth in An Act Creating a Next-Generation Roadmap for Massachusetts Climate Policy (Chapter 8 of the Acts of 2021). Applicants for ITA review would need to ensure that the EIR is consistent with the new protocols, as required.

Criterion 2 (Develop all viable sources in the Receiving Area) will still evaluate three categories (environmental, technological, and economic) when considering viability of the local source

because the ITA wants to ensure all local options are exhausted before looking for an interbasin transfer. However, the PS update proposes the following changes:

1. Environmental: added a paragraph detailing the types of impacts and considering their mitigation before concluding a source is not viable
2. Technological: added a paragraph detailing types of technical issues that may arise and that may lead to economic infeasibility
3. Economic: still two parts – costs & rates – but more detail added, including consideration of affordability by examining the burden of cost increases on low-income households (i.e., households with incomes below the 20th percentile of all households)

Carroll noted that a consideration of the 20th percentile in the analysis is an important and positive change that will better reflect affordability for the populations where this would be most impactful to them. In addition, this is consistent with the approach at the EPA and their guidance. Carroll noted that WRC staff also consulted MassDEP on this criterion. She reviewed examples related to viability for each of the three categories.

Hatch expressed concerns about Criterion 2 and wanted to understand the goal of this criterion specifically in terms of the economics. From her view, the highest standard is that all the options are fully explored, and she would hate to see a circumstance where the WRC would determine an in-basin option is too expensive (i.e., repairs, chemical treatment, etc.), therefore, an option outside of the basin should be considered. She asked about the safeguards for this kind of scenario happening on the pure basis of economics because she did not want there to be an easy way out because the standards are higher than that for a good reason.

Rao responded that economics, while significant, should not be the only reason; she was not sure if WRC has only looked at economics but it's part of the fuller picture. The WRC would expect applicants to look at all alternatives, but also make sure that it's not so expensive for them to look at a local source, especially when EJ or other populations cannot pay for it. The ITA was set up to provide a pathway, but emphasized finding local sources first. Where affordability is the only criteria, WRC staff has helped applicants find ways (i.e., incentives or other resources) to make their own local source more affordable during the application process to get the best high-quality water in the least impactful way. Rao mentioned that MassDEP and federal agencies have prioritized funding to communities right now on PFAS treatment, which is ensuring that their local source is high quality and treated. She stated that WRC staff will be keeping this in mind. She asked commissioners to let WRC staff know if there were any specific comments or any language in the updated PS that should be clarified to emphasize that economics may not be the only consideration. She also offered to provide a red-line version to commissioners if requested.

Baskin expressed support for the 2024 PS. She acknowledged that using staff knowledge and experience, during ITA review based on the updated ITA regulations, to update the PS into the proposed format is much more logical and easier to follow. She offered that the Clean Water Trust places communities into one of three tiers in terms of economics and affordability based on factors such as employment and income. The SRF program (and other programs in the state) gives preference points in terms of discounts on their loans, etc. Baskin acknowledged that most communities want to avoid interbasin transfer and use their own sources. She only recalled one case (Reading) relative to viable sources and affordability and highlighted the circumstances surrounding this example. She concluded with their ultimately being two decisions: one based on



environmental viability and the second piece based on economics. Rao noted that Reading had other circumstances that made it into that analysis and evaluation. She restated that there was no ITA review that only looked at the economics.

Woods asked if criterion 2 involved adding a paragraph detailing the types of impacts and considering their mitigation before concluding a source is not viable. She asked if this analyzed why you could not environmentally propose more water here. She asked if credit would be given if bringing water into the receiving area would alleviate historical environmental damage from the past water supply. Rao responded that this criterion reviewed viable sources for the receiving basin. She reiterated that the ITA is not meant to have a restoration aspect for the receiving basin. The ITA requires water to be used in the receiving basin in the most efficient manner to minimize the transfer in the first place.

Criterion 3 (implementing all practical water conservation measures) was expanded with some organizational changes and more detail regarding what should be in a conservation program. The difference between a plan and a program was clarified - a formal plan is not required if all elements of a plan are addressed; however, guidance was provided on how to document the programs in a written format. Carroll emphasized that water conservation efforts should be guided by an analysis of the data (i.e., looking at the system and data, ranking it, looking at different sectors, and then using that as a guide). WRC staff has worked jointly with the Division of Ecological Restoration (DER) to create a water data analysis guidebook. The 2024 PS was reorganized to list the majority of source protection information in one sub-section to facilitate compliance with DEP drinking water regulations for protecting existing sources.

Some improvements were made relative to guidance on water loss control to reflect 2018 water conservation standards and a few specific metrics. The 2024 PS were edited to describe expectations for water loss control programs in more detail, including water system audits, data validity scores, audit validation, and updated leak detection frequency. A data validity score of 71 would be required, which is consistent with the DEP requirement; however, there is the flexibility in demonstrating improvement in that score over time. A level 1 validation of that audit is required. Guidance on metering was updated to reflect what is in the 2018 standards. Guidance on infiltration and inflow (I/I) was updated to be consistent with DEP regulations and guidance.

Many improvements to guidance on water rates and billing are included. Carroll reminded commissioners that Sara Cohen gave two presentations in 2021 to describe compliance with 2018 water conservation standards as well as ITA regulations for water conservation-oriented rates and full cost recovery in pricing. Carroll offered to share the presentations with commissioners. The 2024 PS recommends the enterprise fund, which is an industry standard or equivalent. Flexibility is built in wherever possible for the metric reviewed. Clearer benchmarks were provided for the conservation price signal, with different rate structures that could achieve this (i.e., tiered rate, seasonal rate, drought or peak demand rate). Rao noted that the 1984 ITA was specific about rates and it's connection to water use and water conservation. The increased training and capabilities of the WRC staff has resulted in updating of the 2024 PS to provide a lot more clarity and detail on how that part of the ITA can be evaluated in applications and the kind of information that will be required from applicants.

Weismantel commented on the requirement for billing on a monthly or minimum of quarterly

basis. He noted that this requirement would add 4% to the cost of the water departments operational costs to collect that money monthly and was not sure there was evidence to support the need. He gave an example of how water bills are not like Netflix bills in that the service cannot be shutoff for lack of payment. He mentioned that technology could be used to allow people to see what the peak is or identifying a leak, or requiring an e-mail to go out to everyone if their average use is less than normal. Remote meter technology is also available today. He doesn't think that the water conservation goal would be achieved by monthly billing and the cost may not be worth it.

Cohen clarified that the requirement is to bill at least quarterly ("must" used in the 2024 PS) with the expectation that billing will be monthly or transition over the long-term plan to monthly. She opined that it is the industry standard to move towards monthly billing and New England is an outlier. She stated that the technologies Weismantel mentioned are important considerations. She provided an example of a community that was not required to provide monthly billing because the water department had customer portals and weekly alerts on a monthly or even more frequently basis and then reached out to customers. WRC staff also gives consideration if it is not financially feasible.

Weismantel reiterated that he does not see the value in adding a 4% increase. Rao acknowledged the challenges in moving from quarterly billing to monthly (i.e., installation of meters everywhere, reading meters, QA/QC, billing, etc.) noting it as an industry standard. She pointed out that this more frequent billing, which includes information on exact water use over that month, can transform people's decision making and result in a quicker response in addressing issues and saving of money. She stated that we do want people to be more responsive during the summer in their water use. The 2024 PS builds in the recognition that New England will need time to catch up with the rest of the country and it will require investments. She reiterated that the WRC was entrusted with working water conservation all the way back in 1954 and it is incumbent on the WRC to move that needle and direct applicants to be water efficient, while acknowledging that there are practical and economic reasons that can be constraints.

Richards asked if the 2021 presentations included information to address Weismantel's concerns about moving to monthly billing. Cohen stated anecdotal evidence where folks at the national level have expressed surprise that monthly billing is not a standard practice in Massachusetts. She also stated that guidelines on how to establish cost recovery and what your prices are is part of revenue stability that should be built in like all other utilities. Cohen offered to provide further research if it would be useful.

Weismantel asked if the 2024 PS is moving to quarterly, why aren't there seasonal rates if the point is to avoid peak use in the summer, which is where the cost is to a system. Water used in the winter keeps staff paid; all the money is made in the summertime. Rao agreed that seasonal rates is the right way to go, especially for summer. Carroll noted that this is an option which is further detailed in the appendix. Rao noted that quarterly billing is reflected in the 2018 water conservation standards for the past six years so communities should not be at a bi-annual rate but be moving towards at least quarterly. Weismantel stated he could be convinced to move to quarterly billing. Cohen confirmed that quarterly billing is in the ITA regulations. Weismantel stated that one could do the seasonal summer use analysis really nicely.

Pederson provided an online comment which stated she was very interested in this topic, but needed to leave the meeting for another commitment. She wrote that she understood and agreed with the need to provide clear guidance to an applicant up-front but had concerns with the conservation and rates sections as she felt they went well beyond what the statute requires. She wrote that she is not sure why meeting the conservation standards isn't sufficient to check the boxes required by the ITA. She will follow up with staff but would suggest that this needs more vetting with water suppliers before being finalized.

Rao acknowledged Pederson's comment and welcomed additional comments from commissioners before the next meeting. She noted that WRC staff presented on the rates approach and policy to the commission in 2021. It was not clear if there was a vote, but staff received verbal validation from commissioners that this was the appropriate direction. She noted that it has been applied to at least a couple of interbasin transfer decisions already, where commissioners were part of discussions, evaluation and final decision process. Rao reiterated that the water rates approach is an appropriate level of evaluation and analysis and now it is an expectation of communities, but she welcomed any other detailed comments.

Richards asked if the 2024 PS rates discussion specifically addressed the concept of a two-part bill with a fixed amount and then a rate. He stated that his town does not appear to get the message and they keep increasing the fixed rate part, which does not provide any ability to incentivize conservation, so the rate stays the same, but the flat fee every quarter keeps going up and that has to do with the revenue certainty, which they are concerned about. Cohen responded that it is referenced in Appendix B.

Criterion 4 (Implementation of Forestry Management Plan) was minimally changed and applies only if there is a surface water supply in the receiving area. Carroll discussed Burlington as an example. She stated that an interest in having an industry standard forestry management plan was always present in the ITA. The 2001 PS said that it should be approved by DCR or somebody else. The 2024 PS specifies approval by DCR Service Forestry Program only. It also identifies updated regulations 302 CMR 16 (Forest Cutting Practices) and requires consistency with any other state policies on harvesting. In the case where there is a surface water supply in the receiving area, best practices are being followed for forest management (i.e., not clear cutting, maximizing biodiversity, having a plan that looks at all sensitive receptors).

Criterion 5 (Maintain reasonable in stream flow) did not change much except to require a less prescriptive list of what applications should include because every case is unique. The 2024 PS identifies specific resources and resource values that will be evaluated to determine if there will be adverse impacts from the transfer. When applicants meet with WRC staff, they will be provided more specific guidance on what is needed (i.e., location of analysis point). Carroll noted that a section applicable to wastewater transfers was added, and Infiltration/Inflow language related to Criterion 5 was moved and modified from the Criterion 3 section to the Criterion 5 section.

Criterion 6 (Impacts of groundwater withdrawals) was updated similar to Criterion 5 with more detail regarding evaluation metrics and changes to them described in the pump test report: static water levels; cone of depression; and adverse impact to adjacent wells, lakes and pond levels.

Criterion 7 (Cumulative impacts) was broadened to include all of the hydrologic impacts (i.e., groundwater and other reservoirs and other impoundments) in addition to streamflow impacts so that WRC staff are evaluating impacts beyond just the stream flow.

Ragucci agreed with Weismantel’s comments on billing. Regarding the Burlington example, he remembered speaking about the burden that’s placed on going to a new billing system and swapping meters out as well as the politics (i.e., going to town meetings) and competing with everything else that is necessary to make it happen. He noted great success with water sense and notifications every time he goes over their daily average water use. You can log in and it provides tips on how to save even more. He advocated for adopting something that everyone can use with technology which would add to what the WRC is trying to accomplish. Rao concurred.

Weismantel asked about the timeline for approving the 2024 PS. Rao stated the plan was for them to be on the agenda at the July meeting and hoped commissioners would feel comfortable with approving it then. She reiterated that comments and feedback were welcome to be submitted to WRC staff over the next two weeks so they could be incorporated.

Richards asked if MassWildlife was consulted or could provide recommendations related to the forest and biodiversity aspect of the 2024 PS. He indicated that he would pass along the 2024 PS to MassWildlife staff for review in case they might have some other suggestions to add to be able to minimize impacts to biodiversity and rare species. Carroll responded that staff was aware of issues around rare and endangered species and biodiversity. She indicated she could reach out to MassWildlife to confirm and asked that Richards send her an email with a reminder.

Rao wrapped up by saying that it would be helpful to finalize the 2024 PS with guidance from commissioners and share it with all the communities.

V O T E	A motion was made by Weismantel with a second by Wijnja to adjourn the meeting.
	The roll-call vote to adjourn was unanimous of those present.

Meeting adjourned, 2:27 PM

**Documents or Exhibits Used at Meeting:**

1. WRC Meeting Minutes: March 14, 2024
2. Final WRC FY25 Work Plan
3. Interbasin Transfer Act project status report, May 31, 2024
4. Materials Related to the Littleton Electric Light and Water Department’s (LELWD’s) Interbasin Transfer Act Application
  - a. Public Notice for the *Environmental Monitor* from the WRC: Receipt of a Request from the LELWD for Approval of an Action to Increase the Present Rate of Interbasin Transfer under the ITA, MGL Chapter 21 Section 8B-8D
  - b. Correspondence dated May 10, 2024, from the WRC to MEPA regarding the Single Environmental Impact Report (SEIR) for the LELWD’s Water Supply Connection
  - c. Memo dated June 3, 2024, from WRC Staff to the WRC: Staff Recommendation to Accept LELWD’s Interbasin Transfer Application as Complete
5. Interbasin Transfer Act Performance Standards

- a. Draft 2024 revised Interbasin Transfer Act Performance Standards
  - b. Previous version of the Interbasin Transfer Act performance standards, dated September 13, 2001
6. Hydrologic Conditions in Massachusetts, May 2024 (available at <https://www.mass.gov/info-details/monthly-hydrologic-conditions>)

*Compiled by: WRC staff*

*Agendas, minutes, and other documents are available on the web site of the Water Resources Commission at <https://www.mass.gov/water-resources-commission-meetings>. All other meeting documents are available by request to WRC staff at 10 Park Plaza, Suite 6620, Boston, MA 02116.*