



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

Meeting Minutes for March 14, 2019

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

Minutes approved April 11, 2019

Members in Attendance:

Vandana Rao, Chair	Designee, Executive Office of Energy and Environmental Affairs (EEA)
Linda Balzotti	Designee, Department of Housing and Community Development (DHCD)
Anne Carroll	Designee, Department of Conservation and Recreation (DCR)
Doug Fine	Designee, Department of Environmental Protection (MassDEP)
Hotze Wijnja	Designee, Department of Agricultural Resources (DAR)
Michelle Craddock	Designee, Department of Fish and Game (DFG)
Thomas Cambareri	Public Member
Marcela Molina	Public Member
Kenneth Weismantel	Public Member

Members Absent

Vincent Ragucci	Public Member
Todd Callaghan	Designee, Mass. Office of Coastal Zone Management (CZM)

Others in Attendance:

Michele Drury	DCR
Jen Sulla	EEA
Erin Graham	DCR
Peter Weiskel	United States Geological Survey
Beth Card	Massachusetts Water Resources Authority
Jen Pederson	Massachusetts Water Works Association
Kate Bentsen	DFG/Div. of Ecological Restoration
Sara Cohen	DCR
Viki Zoltay	DCR
Mark Parrish	Crescent Ridge Dairy
Chris Alden	Crescent Ridge Dairy
Marilyn McCrory	DCR
Kerry Snyder	Neponset River Watershed Association
Liz Walk	Rep. Carolyn Dykema

Rao called the meeting to order at 1:02 PM.

Agenda Item #1: Executive Director's Report

Rao gave an update on a Bid document released by EEA for the development of a water conservation toolkit/clearinghouse website. The goal is to make the State's Water Conservation

Standards more usable by water suppliers and residents. The RFP is aimed at marketing-type companies as there is a social media component to the project as well.

Carroll gave an update on the Alliance for Water Efficiency Board meeting. The organization is starting its first state chapter in California. The Board was updated on progress on the organization's strategic plan. The organization is focusing on pool covers, rebuilding its website, and updating the home water works calculator.

Craddock gave an update on the water rates work being done by the Department of Ecological Restoration (DER) and the Office of Water Resources. DER is providing money to hire Tighe & Bond and Amy Vickers to work on data management and analysis to better inform water rate development and water conservation.

Cambareri announced that it is National Groundwater Awareness Week sponsored by the National Groundwater Association.

Agenda Item #2: Hydrologic Conditions

Zoltay provided an update on the hydrologic conditions for February 2019.

- The past six to seven months have been wet. However, February steadily declined to normal conditions.
- Precipitation is normal.
- Streamflow was above normal at the beginning of the month and was below normal by the beginning of March.
- Groundwater wells vary- groundwater wells that are manually read once a month are normal to above normal, whereas the real-time wells were normal. Now that we've crossed into March, half of the real-time wells are below normal.
- Reservoirs are normal, with some still spilling.
- No federal web pages are indicating drought conditions.
- Outlook for March is a slight chance for below normal temperatures, and a slight chance for above normal precipitation.
- The Crop Moisture Index is abnormally wet.
- Last month the snow pact was significantly below normal. So far this month there are a couple of inches.
- Average temperature was above normal for some of the regions. However, for daily temperatures, there was a wide range, including Boston hitting 65 degrees.

Pederson asked that "Drought Update" be deleted from the agenda item as it implies that there is a drought. Rao agreed.

Cambareri asked about replacement well data. Zoltay replied that the data from the new wells aren't being used yet. USGS will be doing an analysis. Original well data are still being used.

Agenda Item #3: Vote on the Minutes of December 2018 and January 2019

V O T E	A motion was made by Weismantel with a second by Cambareri to approve the meeting minutes for December 13, 2018. The vote to approve was unanimous of those present.
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V O T E	<p>A motion was made by Weismantel with a second by Fine to approve the meeting minutes for January 10, 2019 with amendments: Page 2, second line, change “in” to “is”; change 2010 to 2019 on page 1 heading title.</p> <p>The vote to approve was unanimous of those present.</p>
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Agenda Item #3 Presentation: Crescent Ridge Dairy- Request for Determination of Insignificance

Presentation by Drury. Drury acknowledged Parrish and Alden from Crescent Ridge Dairy (CRD). This is the first review for a proposal of less than 10,000 gpd under the new regulations for a Request for Determination of Insignificance (RDI). Drury gave an overview of the project. CRD is in Sharon, which does not have a municipal sewer system. Across the street from the dairy is the town of Stoughton, which does have sewer system. The transfer will be no more than 10,000 gpd and the sewer connection will limit this amount.

Sharon has water supply sources in the Taunton and Neponset basins. The water transferred from the Taunton is already occurring and so is exempt from additional review under the ITA regulations. The water originating from the Neponset River basin represents a new transfer. Based on the percentage applied to a previous project (65%), the jurisdictional amount is 6,500 gpd. The transfer will be to the Massachusetts Coastal Basin, via the MWRA sewer system. Staff are recommending that the Commission find this project insignificant. The amount is small, under 10,000 gpd. CRD has an agreement with Stoughton limiting the amount of sewage to 10,000 gpd. The connection is specific to the dairy - no other property will be able to tie in. There is no increase to the water connection with the Sharon water supply. This is only for milk waste. Crescent Ridge looked for on-site sources, but there are BOD and pH issues associated with milk waste. Crescent Ridge looked at a DAR program for milk waste, but the dairy was not eligible. Weismantel asked if the Commission could vote today since the recommendation was very clear and strong. Rao said they could not vote today because the vote was not included on the agenda. Also, since this was the first RDI review under the new regulations, staff wanted to make sure the Commission had the opportunity to thoroughly review and apply the new regulatory pathway. The staff recommendation includes language that if the sewer or water connection is enlarged, there may be additional review needed under the ITA. Card outlined the MWRA approval process that will continue after the Commission approves the project. Rao said this project will come back before the Commission at the April meeting for a vote.

Agenda Item #4 Presentation: Follow-up on Approved ITA Requests

Drury gave an overview of ITA requests that have been approved to date, but still require monitoring for compliance. Drury explained that if the ITA does not apply to a project, the WRC has no jurisdiction to impose conditions. However, if a project proponent requests to negate jurisdiction through offsets, the WRC may impose conditions. If a project is found to be insignificant, the WRC does not impose conditions unless the proponent has proposed conditions in order to meet the insignificance criteria.

There have been three Requests for Determination of Applicability that included offsets: Shrewsbury Home Farm Well #2, Turner’s Falls Hannegan Brook Well, and Hopkinton Alprilla Farm Well. For the Shrewsbury Home Farm Well #2 to come into compliance, Shrewsbury decommissioned two wells in the Blackstone Basin and set its SCADA system to limit the yield of Home Farm wells #1 & #2 to no more than 5.4 MGD. The Turner’s Falls Hannegan Brook Well

needed an offset, so DEP reduced the safe yield volume of Well #1 by 50,000 gpd to keep Turner's Falls within the ITA grandfathered amount. Offsets were needed for the wastewater flow generated from adding the Legacy Farms Alprilla Well to the Town's water supply system. Hopkinton implemented flow control measures in its SCADA system. For these three projects, staff continue to review the Annual Statistical Reports filed with DEP to assure that these projects remain within non-jurisdictional amounts. This will continue for the life of these wells.

There have been two Requests for Determination of Insignificance that are "Projects as Proposed". These are Cohasset Water Sale to Erickson Retirement Community and Groton Lost Lake Sewering. Cohasset committed to provide flow releases for fish passage for spring and fall migration and to implement a drought plan in the case that the target releases could not be met. DEP incorporated the conditions into the Cohasset Water Management Act permit. WRC Staff has assisted in review of the annual reports. Groton has committed to implementing a dam management plan to provide downstream releases to provide more natural flow in Cow Brook and to implement a rigorous water conservation program. Annual reports will be required. As of 2019, the sewerage project has not been implemented. Conditions only apply if the project is implemented.

There have been seven approved interbasin transfer requests with active conditions. These are Natick Elm Bank Wells, Dedham-Westwood Water District Fowl Meadow Well, Canton Well #9, Foxborough Witch Pond Wells, Aquaria Desalination Project, Plainville Mirimichi Well, and Avalon Bay Sharon Sewering. The Natick Elm Bank wells are to be shut off when streamflow in the Charles River reaches seasonal thresholds as measured at the Dover gage. The Dedham-Westwood Water District Fowl Meadow Well has a year-round shut off threshold measured at the Green Lodge gage on the Neponset River and a seasonal well shut off threshold below the Milton Lower Falls Dam on the Neponset River. Canton Well #9 also has a year-round shut off threshold measured at the Green Lodge gage on the Neponset River and a season well shut off threshold below the Milton Lower Falls Dam on the Neponset River. The Foxborough Witch Pond Wells have shut off thresholds for water levels in Bungay Brook, Witch Pond, the surrounding aquifer, and deep and shallow peat layers. The Aquaria Desalination Project has continued fishery monitoring for entrainment and impingement and performance of the fishery exclusion system. The Plainville Lake Mirimichi Wellfield has throttle back and shut off thresholds tied to lake levels.

Follow-up streamflow/lake level monitoring applies to Elm Bank, Fowl Meadow, Well #9, and Lake Mirimichi Wellfield. Reports of daily streamflow or lake levels and daily pumping volumes are sent to WRC Staff annually. Staff review to assure that pumping does not occur on days when thresholds were met. Follow-up environmental monitoring occurs for the Foxborough and Aquaria projects. Foxborough submits quarterly data reports which detail water levels as well as an annual report detailing the environmental monitoring program, which includes wetland monitoring. Aquaria submits monthly data reports with the type, number, and condition of fish found in the intake structure and fish exclusion impoundment, semiannual fish exclusion inspection reports, as well as an annual report detailing the environmental monitoring program and the fish exclusion system performance. Avalon Bay submits annual reports of the wastewater flows so WRC Staff can assure that flows are within approved ITA limits.

Other follow-up for all approved water supply transfers is to provide the MassDEP-required Annual Statistical Reports (ASRs) to WRC Staff for five years. ASRs now can be obtained directly from DEP. WRC Staff review ASRs to assure that the project proponents meet the 65 residential-gallons-per-capita-day and 10% unaccounted-for-water standards. All existing approved projects are older than five years; however, WRC Staff retain the right to spot check ASRs to assure continued compliance.

Mansfield Morrison Well #10 is in the same general area as Foxborough's Witch Pond Wells. After reviewing monitoring reports for 15 years, Staff determined that environmental impacts were only occurring during the months of August through October. Staff worked with Mansfield and came to an agreement that the Town would stop pumping in these months in return for eliminating monitoring. WRC approved this modification in 2016. Staff perform spots checks on ASRs.

Weiskel asked about the use of USGS gages for streamflow monitoring. Drury summarized the number of projects over the years- there have been 12 Requests for Determination of Applicability, 18 Requests for Determination of Insignificance, and 24 Interbasin Transfer Approvals. Weismantal asked about denied projects. There have been four denied projects; two in Brockton, one in Stoughton, and one in Charlton.

Agenda Item #5: Brief Update on Drought Management Plan

Rao provided a brief update on DMP comments. There were 27 public comment letters received on the draft Drought Management plan. The comment period is open until March 15, 2019 for Appendix D, which was not sent out with the original package. Appendix D memorializes and outlines the thinking and reasoning behind the draft drought plan.

Rao gave an overview of comments and gave some examples. In general, there was broad support for the draft plan and a recognition of the extent and depth of the plan. Comments included: requests for more real-time data reporting, for an environmental representative on the Task Force and for nomenclature changes. There was a question about Brookline changing regions. This had to do with boundaries of the counties. There was a concern about the ability to make a declaration on only a portion of a region. Staff thought it was important to continue to retain that option in case there is a smaller region impacted at a greater extent. Commenters appreciated the change in how the drought levels are determined. The indices consider severity and are weighted more appropriately. There were questions about the best professional judgement clause. There were comments about a network analysis, especially for groundwater, and the need for more data points, especially for impoundments, lakes, & ponds. There were comments about the end of drought declaration, and a positive reaction to the new communications section. Another suggestion was to have the Hydrologic Conditions Report delivered to a contact in each town in the Commonwealth. Regarding the state response section and local action section, there was a request to compile local bylaws. Other comments made were about reporting all outdoor water use restrictions, the timeline of data used and that an update of the plan should coordinate with the State's Hazard Mitigation Plan. The new community guidance section was thought to be helpful; all towns should have a drought plan; and there was concern raised about downstream releases from a reservoir during a drought, especially from a water supply. Rao will keep the Commission updated on the DMP update process as it progresses.

Weismantel moved to adjourn the meeting. Cambareri seconded. The vote to approve was unanimous of those present.

Meeting adjourned at 3:13pm

Documents or Exhibits Used at Meeting: ATTACHMENTS:

1. WRC Meeting Minutes: December 2018; January 2019
2. Staff Recommendation: Crescent Ridge Dairy Request for Determination of Insignificance under the Interbasin Transfer Act
3. ITA Follow-up Documents
 - a. ITA Request for Approval
 - b. ITA Request for Insignificance
4. Interbasin Transfer Act project status report: 27 February 2019
5. Hydrologic Conditions in Massachusetts, February 2019 (available at <https://www.mass.gov/water-data-tracking>)
6. Presentation by Michele Drury: ITA Follow-Up (<https://www.mass.gov/service-details/review-our-meetings>)

Compiled by: EG

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 251 Causeway Street, 8th floor, Boston, MA 02114.