



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

Meeting Minutes for May 14, 2020

1:00 p.m., conducted remotely via Zoom

Minutes approved August 13, 2020

Members in Attendance:

Vandana Rao	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)
Kathy Baskin	Designee, Department of Environmental Protection (MassDEP)
Hotze Wijnja	Designee, Department of Agricultural Resources (DAR)
Todd Richards	Designee, Department of Fish and Game (DFG)
Marcela Molina	Public Member
Vincent Ragucci	Public Member
Kenneth Weismantel	Public Member
Samantha Woods	Public Member

Members Absent

Thomas Cambareri	Public Member
Todd Callaghan	Designee, Massachusetts Office of Coastal Zone Management (CZM)

Others in Attendance:

Duane LeVangie	MassDEP
Jen Pederson	Massachusetts Water Works Association
Erin Graham	DCR
Gabby Queenan	Mass Rivers Alliance
Jennifer Sulla	EEA
Lexi Dewey	WSCAC
Kate Bentsen	DFG/Division of Ecological Restoration
Andrea Downs	Wastewater Advisory Committee
Katie Ronan	Massachusetts Water Resources Authority
Michelle Craddock	DFG/Division of Ecological Restoration
Paul Sagarino	Town of Burlington
Marilyn McCrory	DCR
Vanessa Curran	DCR
Sara Cohen	DCR
Peter Weiskel	USGS
Rob Williamson	Wright Pierce
John Sanchez	Town of Burlington
Stephen Hildreth	Town of Burlington

Rao called the meeting to order at 1:01 p.m.

Agenda Item #1: Executive Director's Report

Rao provided a COVID-19 update. EEA employees are working from home at least through May 18 and EEA is looking into a phased approach to returning to the office. Seventy-five to eighty percent of EEA staff are working remotely which has been working well. This is the second WRC meeting held on Zoom. Also, WRC has a representative on the Board of Certification for Drinking Water Operators (Bill Salomaa from DCR). The Board is working to address drinking water facilities' needs due to the current situation. The Board is meeting more regularly, moving certifications along, and providing online trainings.

Baskin added that DEP also has staff working on the wastewater side. DEP is having weekly calls with wastewater and drinking water operators and has materials available online. DEP is coordinating with Mass Waterworks Assoc. on the calls and in providing support to water utilities. They are distributing 30,000 masks obtained from FEMA for water and wastewater operators. Distribution will begin on Friday May 15th at eight locations.

LeVangie noted that water use restriction season has begun. Approximately 40 systems have instituted restrictions based on the calendar, beginning on May 1. Water use may be up in some communities with everyone staying at home due to COVID.

Downs noted that MWRA water usage showed some communities are down while some are up, and there were some interesting patterns. As an example, Newton's usage is down based on a year over year comparison.

Agenda Item #2: Hydrologic Conditions Report

Graham reported that precipitation was above normal in April, particularly in the southeast, which helped with streamflow levels that had been low in March. Two regions had tripped the streamflow drought index in March (SE and NE) but they improved in April. The Western Region levels dipped but only one gage was just below the 30th percentile. For groundwater, no regions tripped the index but there were many low wells in March. In April only two wells decreased in percentile (Sheffield and Chicopee) but the actual levels came up. The Cape Region had two wells above the 90th percentile. Lakes and Impoundments were overall in good shape with many reservoirs spilling. The KBDI values are low due to cool rainy weather. There was some snow received in April but big deficits for the season remain. April temperatures were below normal. There are no forecasted drought conditions.

Weiskel noted that USGS field work activities are back to normal. Also, USGS published a New England-wide database of the observation well network which contains site information, geologic conditions, etc. This database can be found on the USGS Massachusetts website under Publications and will help in the interpretation of the monthly groundwater record.

Agenda Item #3: Update: Ongoing Reviews of Active Interbasin Transfer Projects

Rao gave an update on the multiple active Interbasin Transfer projects that are currently in some stage of review.

North Reading: the WRC voted to accept the application as complete at the April meeting, which started a 60-day timeclock to hold public hearings, one in the donor basin and one in the receiving basin. The hearings will be offered through Zoom on May 28, 2020 at 1 pm for the

donor basin, and on June 2, 2020 at 10 am for the receiving basin. Rao encouraged all WRC members to attend. WRC staff will provide an overview of comments received. Anyone who has comments on the application is asked to provide them in writing. Any information gathered at the hearings will be considered when drafting the staff recommendation. The draft staff recommendation will be presented to WRC at the following meeting to get comments from Commissioners. A third public hearing will be held on the draft staff recommendation, then at the following WRC meeting a draft final staff recommendation will be presented. WRC can vote at that or the following meeting.

Auburn Water District (AWD): the DEIR has been filed with MEPA. The District has sources in the Blackstone River basin and is proposing to buy water from the City of Worcester which has sources in the Nashua and Blackstone river basins. The District is seeking to purchase 0.54 million gallons per day (MGD), only a portion of which is jurisdictional under the ITA. AWD has local vulnerabilities of its existing wells due to contamination. The DEIR is currently in the MEPA process and comments are due to MEPA on May 22, 2020. WRC staff are reviewing and drafting the comment letter to MEPA.

Shrewsbury: Request for Determination of Applicability. WRC staff will review the proposed transfer to determine if it is subject to the ITA. Shrewsbury is constructing a new well and restructuring their operations, which would not increase their WMA permit, but would change the location of well sources in the Blackstone River Basin. Wastewater is transferred to the Concord River Basin. Staff are reviewing to determine if there is any increase in the rate of transfer and will report back to WRC in the next few months.

Foxborough: there is currently an ITA decision in place. The decision was conditioned with monitoring due to impacts on endangered species. The Town is proposing new monitoring protocols and recently submitted a revised plan which staff need to review.

Once a full ITA application is considered complete by WRC, there is a timeclock of 120 days. The priority is to complete our obligations within that timeframe. Staff need to complete the reviews and although we are short-staffed, we are making every effort to address all projects and work with applicants in a timely manner. Michele Drury who was the ITA expert retired and her position has not yet been filled. Staff will keep the WRC updated on progress. It's rather unusual to have so many ITA applications at the same time.

Weismantel commented that he was not surprised to see more applications coming in because of the difficulties with the Water Management Act permits, the economic viability of switching to MWRA, and increasing contamination issues.

Rao agreed that several of the new IBT proposals are related to contamination and noted that a community requesting an Interbasin Transfer has to exhaust all possible in-basin viable sources before transferring water from out of basin.

LeVangie noted that only one of the applications discussed is for joining the MWRA and others are turning to a neighboring community. However, contamination is driving several of the applications.

Pederson asked if there was any update on filling Drury's position? No update since the COVID-19 emergency began.

Molina asked if with the influx of applications, is timing is a factor? The priority is whichever application is currently before the WRC and whose regulatory timeclock has begun. The others are being addressed on a parallel track.

Agenda Item #4: Completeness Review and VOTE: To Accept as Complete the Town of Burlington's Application for Approval of an Action to Increase the Present Rate of Interbasin Transfer of Water from the MWRA System

Carroll recognized staff from Burlington: Paul Sagarino, John Sanchez, Stephen Hildreth, and the Town's consultant Rob Williamson from Wright-Pierce. Burlington has had contamination issues in its drinking water supply. Through an extensive alternatives analysis it was recommended that the Town switch over to the MWRA in two phases. The Mill Pond Reservoir in Burlington has no redundancy. Groundwater contamination was found in 2011, causing wells to be taken offline, thereby reducing capacity. The Town implemented a drought plan tied to the levels in Mill Pond. The proposed plan is to keep the wells offline and maintain the Reservoir. Comments on the application were due to MEPA on April 10, 2020. WRC staff requested more info on Criterion #3 (water conservation). The staff recommendation is that the WRC vote to find the application complete in order to move the process forward. Staff will have 60 days to hold two public hearings. It's anticipated that Staff will present the draft staff recommendation at the July WRC meeting, and possibly vote to approve/deny the application at the August WRC meeting.

John Sanchez, the Burlington DPW Director, added that the process has been going on for a couple of years and they've participated in several meetings and received assistance from the agencies, and they are very excited to move forward and he can answer any questions.

V O T E	A motion was made by Vincent Ragucci and seconded by Ken Weismantel to accept as complete the Town of Burlington's application for approval of an action to increase the present rate of interbasin transfer of water from the MWRA system. The vote to approve was unanimous of those present.
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Agenda Item #5: Discussion: Draft WRC Work Plan for FY2021

Carroll presented the work plan. Staff are working on the implementation of the state drought plan. Staff are working with Cornell to display a drought dashboard with all indices and current conditions, and are also seeking to have a reporting mechanism so anyone having a water shortage can report it. The goal is to have more a streamlined and accessible process to report impacts. Cornell is also researching a new index to replace the Crop Moisture Index. Staff are working to automate the hydrologic conditions report. The USGS cooperative program is ongoing. The Water Conservation Toolkit is a very exciting project making excellent progress on a website to house the water conservation standards in a user-friendly format. The team that was hired is very good with graphics and social media and is finalizing multiple products for stakeholder groups, water supply community, watershed groups, etc. We will bring the products from this project back to WRC once they are complete. As mentioned, there are multiple ITA reviews occurring. Staff hopes to update the ITA performance standards this year to bring them into alignment with the water conservation standards update. Water needs forecasts are continuing. Staff are working with DEP as they issue WMA permits. There are communities

coming back in if they had temporary allocations or they were registered only but now they are adding sources. If they need a permit, they need a forecast. There are a number of forecasts ongoing as DEP works to issue these permits.

Rao noted some work being done to address climate change, specifically the intersection between WRC's work and climate work. She is leading an effort to update the state's climate predictions on temperature and precipitation out to the year 2100. It is a risk-based approach and will be looking at what implications those predicted changes will have on streamflow.

The annual report is required to be submitted to the Secretary of State and the Legislature by the end of the calendar year to meet the statutory obligation. It's a great way to let others outside of the WRC know about who we are and what we do.

Flood Hazard Management Program: WRC is the designated entity to implement the National Flood Insurance Program in Massachusetts. There are two staff housed at DCR, Joy Duperault and Eric Carlson. Joy has presented at WRC meetings several times.

PL566 (watershed protection program) is not necessarily an active program in that the WRC is no longer acquiring new land for flood protection. The WRC was formed in the 1950's mostly because flooding was a big concern at that time. The WRC was formed to help think through how to mitigate flooding and implement flood protection. Over the decades WRC and the federal government bought land deeded to WRC for flood protection and mitigation. These lands are maintained by state agencies. Bill Salomaa at DCR has the primary responsibility for maintaining these flood protection lands owned by the WRC. Bill Salomaa is also the WRC representative to, and now the Vice-Chair of the Board of Certification of Operators of Drinking Water Facilities.

Weismantel asked if there are currently enough staff in place to accomplish the work plan, what are the staff priorities, and are there any indications on the FY21 budget?

Rao said the budget is unknown for the next fiscal year. With the staff in place, all aspects of the workplan can be worked on. For some projects consultants may be hired, such as the drought dashboard. The USGS cooperative program is ongoing and Zoltay is managing it, and some redundancy has been built in with her time away. The IBT performance standards update has fallen off a bit because staff have not had the time. The current thinking is to break it in chunks and update a topic at a time, bringing each to the WRC, starting with the most pertinent or important. Climate prediction work is happening with input from other agencies and the EEA climate group, and will also be contracted out. The highest priority for staff is meeting regulatory timelines for IBT reviews, especially once an application is accepted as complete.

Pedersen asked if there would be an opportunity to review the final draft of the water conservation toolkit before it goes live? Rao: yes, in several weeks to months.

Queenan asked about the climate/streamflow prediction work. For the precipitation forecasting, which the MassDEP Stormwater Handbook advisory committee is also looking at, how will the two line up? Will the stormwater group come up with an agreement for the forecast and that will inform the climate/prediction group? Are they happening simultaneously? Rao: They are fairly

distinct and separate processes with different end goals. For the climate/streamflow work, the goal is to develop new downscaled climate predictions for MA at a more granular level. The stormwater effort is different and focused on updating past precipitation amounts to more current levels. Baskin: DEP is looking to update the precipitation portion of the Wetlands Protection Act regulations and stormwater handbook to which the regs refer. DEP wants to be mindful of climate resilience in the regulations. A few processes are going on right now. One is the RMAT (Resilient Massachusetts Action Team) process. DEP will want to be synchronized with what EEA develops. DEP will also be looking to get advice from the stormwater advisory committee. The timelines are quite different for the climate predictions and for the revised stormwater handbook. It's hard to say exactly where they will intersect but it's expected they will intersect.

Rao asked the Commissioners to please review the workplan and be prepared to vote on it at next month's meeting.

Meeting adjourned, 2:25 p.m.

Documents or Exhibits Used at Meeting:

1. Public Notice for the *Environmental Monitor* from the Water Resources Commission: Notice of public hearing relating to the interbasin transfer application for the town of North Reading's proposal to purchase water from the town of Andover
2. Public Notice for the *Environmental Monitor* from the Water Resources Commission: Receipt of a Request from the Auburn Water District for Approval of an Action to Increase the Present Rate of Interbasin Transfer under the Interbasin Transfer Act, MGL Chapter 21 Section 8B-8D
3. Request from the Town of Burlington for Approval of an Action to Increase the Present Rate of Interbasin Transfer under the Interbasin Transfer Act, MGL Chapter 21 Section 8B-8D:
 - a. Final Environmental Impact Report, Connection to MWRA Water System, Town of Burlington; EEA Project No. 15940: Copies can be requested through the MEPA Office analyst, Anne Canaday, anne.canaday@mass.gov
 - b. Correspondence dated April 10, 2020, from WRC Staff to the MEPA Office: Comments on the Final Environmental Impact Report for the Town of Burlington's proposed connection to the Massachusetts Water Resources Authority
 - c. Memo dated May 5, 2020, from WRC Staff to Water Resources Commission: Additional Information Related to Burlington's Interbasin Transfer Application to Join the MWRA
 - d. Memo dated May 5, 2020, from WRC Staff to Water Resources Commission: Staff Recommendation to Accept Burlington's Interbasin Transfer Application to Join the MWRA as Complete
4. Draft WRC Work Plan, FY2021
5. Interbasin Transfer Act project status report, April 30, 2020

Compiled by: VC

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.