



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

Meeting Minutes for June 11, 2020

Meeting conducted remotely via Zoom meeting platform

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

Members Absent

Todd Callaghan	Designee, Massachusetts Office of Coastal Zone Management (CZM)
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Others in Attendance:

Philip Guerin	Worcester Department of Public Works
Vanessa Curran	DCR, Office of Water Resources
Marilyn McCrory	DCR, Office of Water Resources
John Scannell	DCR, Division of Water Supply Protection
Andreae Downs	Wastewater Advisory Committee to the MWRA
Jacob Greene	MassDEP
Jennifer Pederson	Massachusetts Water Works Authority
Duane LeVangie	MassDEP
Veronica Wancho O'Donnell	MassDEP
Jennifer Sulla	EEA
Michelle Craddock	DFG, Division of Ecological Restoration
Katie Ronan	Massachusetts Water Resources Authority
Sara Cohen	DCR, Office of Water Resources
Kate Bentsen	DFG, Division of Ecological Restoration
Erin Graham	DCR, Office of Water Resources
Peter Weiskel	U.S. Geological Survey
Pine Dubois	Jones River Watershed Association
Lexi Dewey	Water Supply Citizens Advisory Committee
Todd Melanson	Chelmsford Water District

Rao called the meeting to order at 1:05 p.m. She described the logistics and ground rules for the this remotely conducted meeting. She noted that the meeting was being recorded, but only for the purpose of the minutes, and all votes would be by roll call.

Agenda Item #1: Executive Director's Report

Rao noted that staff is monitoring the dry conditions that have developed in the last month. She also acknowledged the efforts of agency staff in conducting technical reviews for multiple Interbasin Transfer Act applications.

Rao announced a virtual congressional town hall on June 30 to discuss the value of federal investment in water reuse. She offered to distribute information on the discussion.

Weismantel requested an update on the state budget and any impacts to WRC activities or staff. Rao described ongoing projects, including development of a drought dashboard and a tool for climate, precipitation, and streamflow predictions. These projects have funding for a couple of fiscal years. Rao also noted that funding for the USGS cooperative program is expected to continue.

Agenda Item #2: Update: Hydrologic Conditions

Graham provided an update on the hydrologic conditions for May 2020. Precipitation was below average in all regions except the Islands region, where precipitation was above average. Streamflow showed the effects of low precipitation; however, no regions tripped the drought threshold in May. Groundwater levels varied across the state, with the Western region reaching drought index severity Level 1. Lakes and impoundments remained normal. The U.S. Drought Monitor shows abnormally dry conditions from the Western to Northeast regions of Massachusetts.

Woods noted that, with so many people working from home because of COVID-19 advisories, some communities are reporting above-average water use. In response to a question from Pederson, Rao explained that the Drought Management Task Force will likely meet informally to review trends and forecasts.

Agenda Item #3: Presentation and Discussion: Proposed Regulatory Changes: Amalgam Wastewater and Recycling Regulations for Dental Facilities (310 CMR 73.00)

Rao explained that the Water Resources Commission reviews and approves certain MassDEP water-quality-related regulations. She introduced Veronica Wancho O'Donnell of MassDEP.

O'Donnell explained that she would provide the commission with an overview of proposed changes to the amalgam wastewater and recycling regulations for dental facilities before they are released for public comment. She added that she will continue to brief the commission, and the commission will be asked to approve the regulatory changes after the public comment period is concluded.

O'Donnell provided background on the regulations, explaining that MassDEP last changed the regulations in 2016. In 2017, the U.S. Environmental Protection Agency promulgated pretreatment standards to reduce discharges of mercury from dental offices into publicly owned treatment works. She outlined the environmental dangers of mercury, and described EPA's requirements. She reviewed the requirements in MassDEP's current regulations, noting that compliance has been good.

She noted that several larger publicly owned treatment works have promulgated their own regulations, resulting in duplicate compliance requirements. The proposed changes to MassDEP regulations eliminate this duplication by exempting certain dental facilities from certifying compliance with MassDEP. O'Donnell outlined other proposed changes, including to definitions, applicability language, and notifications related to ownership changes. She also outlined the next

steps in the public process, including notices to the public and applicable state agencies, public hearings, and the public comment period.

In response to a question from Rao, O'Donnell confirmed that the publicly owned treatment works are sharing data with MassDEP. Sulla requested clarification on the timing of internal reviews and the public hearings. Rao responded that the next step is for MassDEP to request public comment on the proposed revisions to the regulations.

Agenda Item #4: VOTE: WRC Work Plan for FY2021

Carroll highlighted major program areas on the commission's annual work plan. She also highlighted next steps for each program area. These include implementation of the drought management plan, development of an online water conservation toolkit, work on automating reporting of data collected for the monthly hydrologic conditions report, and work with Cornell University on development of a drought dashboard. She also highlighted the work on the PL566 flood protection program and the Flood Hazard Management program, both functions of the WRC and managed by DCR staff.

Weismantel highlighted an item related to the Water Conservation Standards, "Track metrics and assess progress in meeting standards." He commented on the importance on knowing how communities are doing in meeting conservation goals, which communities need assistance, which communities are doing a good job and why, and what best practices can be replicated by other communities. He added that the commission needs to identify how the state can help educate, incentivize, regulate, and lead to reach these conservation goals. Rao responded that staff are working to highlight good practices in water conservation and include case studies and lessons learned. Regarding metrics, she noted that public water suppliers submit annual statistical reports to MassDEP. LeVangie noted that data are published on MassDEP's website. He added that 2019 data are due the first week of July and offered to provide an update on trends.

Woods asked about the status of the regulations on system interruption devices. Baskin responded that these are under review by MassDEP, and the agency expects to make significant progress this year. She added that some requirements could place a burden on municipalities, and staff are considering how to balance all the interests. Baskin and LeVangie explained what the law requires, including making sure irrigation devices are not running while it is raining and that installers have the qualifications and certifications needed to install systems so that they function properly.

Rao invited a motion to approve the work plan.

V O T E	A motion was made by Weismantel with a second by Ragucci to approve the Water Resources Commission Work Plan for Fiscal Year 2021.
	The roll-call vote to approve was unanimous of those present.

Agenda Item #5: Presentation and Discussion: Request from the Auburn Water District for an Interbasin Transfer of Water from the City of Worcester and WRC's Request for Additional Information – Completeness Review

Carroll explained that the Auburn Water District seeks to supplement its water supply by establishing a new connection to the city of Worcester's water supply system. She added that the commission is not being asked to comment on the merits of the interbasin transfer application at

this time. Staff are reviewing the application for completeness and are in the process of requesting additional information.

She provided background on the application, noting that Auburn (the receiving area) has twelve wells and land area in the Blackstone River Basin, and Worcester (the donor area) has water supply sources in the Nashua and Blackstone River basins. She explained that Auburn is seeking an interbasin transfer of water because of water quality challenges with its local supply. The water district conducted an alternatives analysis and determined that a connection to Worcester was the best alternative.

Carroll reviewed maps showing Auburn's and Worcester's sources. She explained that Auburn seeks to purchase up to 0.54 mgd of water, but only 0.36 mgd is subject to the Interbasin Transfer Act. She reviewed the flow analysis, which calculated the portion that is jurisdictional.

Carroll noted that additional information pertaining to two criteria in the Interbasin Transfer Act was requested: information pertaining to Criterion 3 (water conservation) on water rates, metering, leak detection, audits, and a written conservation plan; and Criterion 5 (instream flow).

Questions, comments, and discussion:

- Guerin commented that the city of Worcester was not copied on the commission's letter to MEPA. Rao and Carroll offered to include Guerin in correspondence and invited him to participate in discussions with the applicant.
- Guerin commented that the application involves a lot of work for Auburn in exchange for a small amount of water. He added that Worcester will not be changing its operations. Carroll explained that there is no threshold for interbasin transfers, and Rao explained the commission's jurisdiction. She added that staff will help Auburn make sure that all the information needed to review the application under the Act's regulations is provided.
- Woods asked about the types of withdrawals involved and whether there were streamflow releases from Worcester's reservoirs. Carroll explained that the Auburn Water District uses groundwater sources. Worcester uses surface water sources, and there are currently no release structures on its reservoirs.

Rao commented that staff will continue working closely with Auburn and Worcester until the final environmental impact report is filed. She added that staff will keep the commission updated on the status of the application.

Agenda Item #6: Update: Water Conservation Toolkit Website

Rao provided an overview of efforts to develop an online water conservation toolkit. She explained that the purpose of the toolkit is to package the state's water conservation standards and technical information on water conservation into a more user-friendly format. She explained that content is being co-developed by agency staff and a consultant, Shields Design, and that the page is being developed within the design specifications and constraints of the *mass.gov* platform. She noted that, on some aspects of the toolkit, staff has solicited feedback from various stakeholders. Cohen added that the site will also include resources for other municipal entities besides water suppliers, such as land-use boards. Rao highlighted several products, noting that these will be available for public water suppliers and others to use.

Comments from commission members and the public were positive, with several noting the value of simple messages. Molina commented on the value of information that can be easily consumed by the average person. Richards suggested adding a panel on geography, noting how wide-reaching water infrastructure is. Cambareri asked if links to water quality issues could be considered, noting that potable water is a finite resource, and vulnerable to contamination, and this is an important reason to conserve water. Rao noted that this concept is covered in broad terms in the “Why Conserve Water” section of the website.

Woods expressed concern about licensing of images and suggested documenting credit and sources where needed. In response to a question from Melanson, Rao confirmed that the site will include links to EPA’s WaterSense web pages. Woods asked if graphic files will be able to be modified, noting that real change often occurs at a micro-level. Rao replied that communities or regional planning agencies should be able to add a logo and noted that the intent is for the files to be widely disseminated. She asked for input on formats that would be most useful. Pederson requested an opportunity to review the web site. In response to a question on the status of this project, Rao responded that it is about fifty percent complete and should be done in a couple of months.

Weismantel made a motion to adjourn, with Molina seconding. The roll-call vote to adjourn was unanimous of those present. Meeting adjourned, 2:50 p.m.

Documents or Exhibits Used at Meeting:

1. Amalgam Wastewater and Recycling Regulations for Dental Facilities (310 CMR 73.00) – redline showing proposed regulatory changes
2. WRC Work Plan, FY2021
3. 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.
4. 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 Burlington’s Proposed Connection to the MWRA Water Works System
5. 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:
 - a. Correspondence dated June 3, 2020, from Water Resources Commission to the MEPA Office: Comments on the Draft Environmental Impact Report for the Auburn Water District’s proposed connection to the City of Worcester
 - b. 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
6. Interbasin Transfer Act project status report, June 1, 2020
7. Hydrologic Conditions in Massachusetts, May 2020 (available at <https://www.mass.gov/water-data-tracking>)

Compiled by: mjm

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.