



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

Meeting Minutes for July 9, 2020

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

Minutes approved September 10, 2020

Revised minutes approved April 8, 2021

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) |
| Marcela Molina | Public Member |
| Vincent Ragucci | Public Member |
| Kenneth Weismantel | Public Member |

Members Absent

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

Others in Attendance:

| | |
|-------------------|--|
| Duane LeVangie | MassDEP |
| Marilyn McCrory | DCR |
| Vanessa Curran | DCR |
| Jennifer Sulla | EEA |
| Jennifer Pederson | Massachusetts Water Works Association |
| Michelle Craddock | DFG/Div. of Ecological Restoration |
| Sara Cohen | DCR |
| Kate Bentsen | DFG/Div. of Ecological Restoration |
| Gabby Queenan | Massachusetts Rivers Alliance |
| Erin Graham | DCR |
| Andreae Downs | Wastewater Advisory Committee |
| Sequoya Bua-lam | DFG/Div. of Ecological Restoration |
| Katie Ronan | Massachusetts Water Resources Authority |
| Lexi Dewey | Water Supply Citizens Advisory Committee |
| Lealdon Langley | MassDEP |
| Stephen Boksanski | Green Industry Alliance |
| Alex Hackman | DFG/ Div. of Ecological Restoration |

Rao called the meeting to order at 1:06 p.m.

Agenda Item #1: Executive Director's Report; Drought Response Report

Vandana Rao provided an update on drought conditions, noting that the Drought Management Task Force (DMTF) was first convened this year in June 2020 due to drying conditions and

subsequently the Secretary declared a drought level 1 and 2 in several regions. The DMTF met again on July 8th due to ongoing drought conditions. Rao summarized the DMTF deliberations and recommendations including some improvements in the Northeast Region and some deterioration in the Western Region and CT River Valley Region. Rao mentioned that there was discussion of more frequent meetings, such as every two weeks to allow the state to be more responsive to rapidly changing conditions. In the case of the Western and CT River Valley Regions, some task force members were on the fence between level 2 and 3 and were more comfortable staying at level 2 if conditions could be reevaluated sooner. The DMTF recommendations were provided to the Secretary and she will make a final call in the next day or so.

Richards suggested considering an adaptive process where the DMTF could meet more frequently as needed, and possibly set a contingency that if conditions are right on the edge and deteriorate within a following time period the DMTF could agree in advance that the drought level could change. Rao responded that it was an interesting idea, but we would need agreement from all DMTF members prior to implementing such an approach so something to consider for future meetings. Rao pointed out that the greatest limiting factor on more frequent meetings is data availability. Some of the indices are only available monthly. We are working hard to modernize our network and move towards more real time data, but it takes money and effort and time, and cannot be completed overnight.

Rao also provided an update on the Drought Mission Group. The drought plan outlines the need to form a Drought Mission Group once level 2 or higher drought is reached. This is an interagency group which coordinates responses to drought and communication. The group, co-chaired by Rao and MEMA was called to action and will have its first meeting next week.

Agenda Item #2: Update: Hydrologic Conditions and Drought Status

Graham summarized that June continued to add to the precipitation deficit that was started in May, except for the Southeast region which remained normal. Overall, for the month of June streamflow has suffered. Three regions have index severity at level 3 for streamflow and there have been some record lows. Groundwater was low but varied across the state with record lows in some areas and above normal in others. The Cape is still generally on the high side. For lakes and impoundments, some reservoirs reached level 1 status. In some cases, these reservoirs are still close to full, but drought severity levels are low compared to that reservoir's records for June including several reservoirs being lower than they were in 2016, which was our last significant drought. KBDI values ranged from level 0 to 2. The drought monitor from last week mostly aligns with our drought status. The outlooks for temperature, precipitation and drought outlook are generally for continued drought conditions.

Pederson asked why some of the lake and impoundment data are not reported. Graham responded that reporting does not always come in by the last day of the month. In the case of several reservoirs where we did not receive data, they were over 100% full last month so we were comfortable that they remain within the normal range. Rao responded that we are actively working to expand this network. Pederson asked about expanding to include DCR water bodies. Graham responded that we have a preliminary list and are working with USGS but these efforts have been slowed by COVID-19.

Agenda Item #3: Vote on the Minutes of April 2020

Rao invited motions to approve the meeting minutes for April 2020. Weismantel moved and Wijnja seconded the motion. Rao provided several minor changes pointed out by Pederson: on page 4, MWRA should say MWWA; on page 6, Anne Carroll’s last name is missing an “l”.

| | |
|------------------|---|
| V O T E | A motion was made by Weismantel with a second by Wijnja to approve the meeting minutes for April 2020, with corrections as provided by Rao. |
| | The roll-call vote to approve was unanimous of those present. |

Agenda Item #4: Presentation and Discussion: Draft Staff Recommendation on the Town of North Reading’s Application to Increase the Present Rate of Interbasin Transfer of Water from the Town of Andover.

Carroll introduced the discussion by reviewing the facts pertaining to North Reading’s application including a summary of their current drinking water sources and the reasons for this request, and the total amount requested. Carroll then reviewed the project’s timeline starting with completion of MEPA, WRC acceptance of the application as complete, and two required WRC public hearings, leading to today’s discussion of the draft staff recommendation. Carroll reviewed the seven criteria set out in the act and regulations by which the application must be reviewed. She noted that two are not applicable (Criterion 4 and 6) and staff recommend that the remaining 5 criteria are met, some with conditions which she went on to explain.

For Criterion 2 viable sources, staff recommend that it is met due to the combination of significant capacity issues, contamination issues and environmental impacts of North Reading’s wells. The staff recommendation includes a condition related to the Administrative Consent Order which memorializes the conditions in the ACO. It also includes a requirement to notify the WRC if North Reading’s local sources were to become viable in the future.

For Criterion 3 water conservation, Carroll reported that overall North Reading is doing a very good job on water conservation and meeting most of the standards, except for the 65 rgpcd (residential gallons per capita per day) and 10% UAW (unaccounted for water) performance standards. Carroll noted that the recent significant investments North Reading has made in their AMI system and software are expected to aid the town in meeting 65/10. The staff recommendation includes a condition to help North Reading come into compliance with the 65 rgpcd performance standard by using their AMI data to inform targeted outreach to their largest users. Additionally, the staff recommendation includes a water loss control program including conducting an M36 or equivalent audit but recognizes that the town will need several years following their switch to Andover for 100% of their supply to allow operations to normalize before conducting an audit.

For Criterion 5 and 7, staff recommended that these criteria are met under all flow conditions including the drought of record, due to the extremely large size of the donor basin watershed compared to both the proposed increase and the cumulative past, present and authorized withdrawals.

Carroll then summarized additional conditions including a requirement that North Reading update their drought plan to reflect going 100% to Andover and including review and incorporation of applicable recommendations from the 2019 MA Drought Management Plan. Lastly, there is a condition which requires North Reading to come back to the WRC for approval if they want to propose any changes in their nonessential outdoor watering bylaw if such changes are less restrictive.

Carroll then reviewed the timeline moving forward including a public hearing on the draft staff recommendation on July 13th at 11am. A presentation of and vote on the final draft staff recommendation is anticipated for the August WRC meeting.

Comments, questions, and responses:

Pederson requested that the Administrative Consent Order (ACO) be provided and asked if North Reading was aware that the ACO would be included in the WRC decision. Rao stated that we could provide a copy of the ACO and because the ACO references the WRC decision we presume the town was aware that it would be included. Richards asked if the presentation could be shared and Rao responded that yes, all presentations are posted on the WRC website.

Ragucci stated that Carroll had characterized everything in the slides. Ragucci is Chairman of the Water Commission in North Reading and stated that they have been extremely engaged, including using an app to communicate water use and being proactive on water restrictions. North Reading has also been working cooperatively with Andover and has laid the groundwork so that they are well prepared for this process.

Rao reminded Commissioners that the WRC has by practice always held a third public hearing on the draft staff recommendation.

Rao then reminded everyone that there are two additional public hearings coming up for Burlington on July 10 for the donor basin and July 13 for the receiving basin.

Agenda Item #5: Presentation: Restoring Wetlands on Retired Cranberry Farmland: Science, Practice, and Status in Massachusetts

Hackman introduced his presentation stating that it would be a comprehensive quick overview about cranberry restoration work through proactive restoration on retired bogs. He summarized the four take-home messages that he hoped to communicate:

1. Context in Southeast MA: Farms are retiring- a moment of change on the landscape
2. Restoration can repair the landscape
3. Land protection + restoration = win-win
4. Building capacity at DER to bring more resources to the table

Hackman went on to illustrate these four take-home messages with many pictures and examples which can be seen in the complete PowerPoint presentation, available at <https://www.mass.gov/doc/wrc-presentation-restoring-wetlands-on-retired-cranberry-farmland/download>.

Comments, questions, and responses:

Rao asked who would hold the title to land where easements are purchased. Hackman responded that the landowner typically holds the title but there is an opportunity for others such as NGOs to then buy the title. This allows management opportunities but also requires work. Rao asked how long the post-monitoring activities would continue. Hackman replied that not every site can be monitored, so DER has developed a network of partners to assist in monitoring. For one project there will be three years of baseline followed by five years of post-monitoring. Hackman highlighted that the nitrogen question is unique, and they are in the research design phase with several partners looking at this to better understand how much nitrogen attenuation can be expected.

LeVangie stated that these projects could be counted as mitigation under the Water Management Act although some federal funding sources prohibit this. LeVangie asked if the Burrage is a restoration site and Hackman replied that it is a Habitat Management site, so it is more highly managed. Hackman stated that he strongly supports mitigation credit for restoration projects and would happily serve as a resource to LeVangie if he wanted to further discuss opportunities.

Langley stated that this approach looks very promising for nitrogen attenuation to reduce impairments of waterways. Langley looks forward to the program being able to better document these benefits. Langley stated that for the 35 years he has been at DEP the cranberry farmers have had many swings up and down, but this is a great opportunity to help the community both economically and environmentally.

Pederson asked if Hackman was working with any water suppliers and Hackman replied that to date, they are not, but they would welcome the opportunity.

Richards stated his interest in the carbon balance following restoration. Hackman replied that they have looked at carbon and found that in 10 or 20 years these projects become a carbon sink, following an initial release of methane.

Wijnja stated that these sites have had decades of pesticide use and wondered if cleanup was needed at any of the sites. Hackman replied that this is a very complicated topic. Organochlorines have been found and DEP Office of Research and Standards has reviewed the science and data but they think the risk is pretty low because these compounds are insoluble and bound to soil so not mobile, but ultimately it is an area of some uncertainty.

Baskin complimented Hackman on an excellent and informative presentation.

Agenda Item #6: Vote to adjourn

| | |
|---|--|
| V | A motion was made by Richards with a second by Ragucci to adjourn. |
| O | |
| T | The roll-call vote to adjourn was unanimous of those present. |
| E | |

Meeting adjourned, 2:53 p.m.

Documents or Exhibits Used at Meeting:

1. WRC Meeting Minutes, April 16, 2020
2. Hydrologic Conditions Report for June 2020 (<https://www.mass.gov/service-details/hydrologic-conditions-reports>)
3. Request from the Town of North Reading 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. Public Notice for the Environmental Monitor from the Water Resources Commission: Notice of Cancellation and Reschedule of the Public Hearing Relating to the Interbasin Transfer Application for the Town of North Reading's Proposal to Purchase Water from the Town of Andover
 - b. Draft for Water Resources Commission Discussion, dated July 9, 2020: WRC Staff Recommendation on the Interbasin Transfer Application from the Town of North Reading 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. Interbasin Transfer Act project status report, June 26, 2020

Compiled by: AC

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.