



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

Meeting Minutes for May 7, 2015

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

Minutes approved July 9, 2015

Members in Attendance:

Kathleen Baskin	Designee, Executive Office of Energy and Environmental Affairs (EEA)
Linda Balzotti	Designee, Department of Housing and Community Development (DHCD)
Jonathan Yeo	Designee, Department of Conservation and Recreation (DCR)
Douglas Fine	Designee, Department of Environmental Protection (MassDEP)
Catherine deRonde	Designee, Department of Agricultural Resources (DAR)
Tim Purinton	Designee, Department of Fish and Game (DFG)
Raymond Jack	Public Member

Members Absent

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

Others in Attendance:

Bruce Hansen	DCR
Jen Pederson	Mass. Water Works Assn.
Linda Hutchins	DCR
Vandana Rao	EEA
Anne Carroll	DCR
Sara Cohen	DCR
Erin Graham	DCR
Peter Weiskel	U.S. Geological Survey
Michele Drury	DCR
Becky Weidman	MassDEP
Marilyn McCrory	DCR

Baskin called the meeting to order at 1:00 p.m.

Agenda Item #1: Executive Director's Report

Baskin announced the schedule for meetings hosted by MassDEP and DCR in river basins where Water Management Act permits are being renewed and water needs forecasts are being updated or developed. Basin meetings are scheduled in the Concord River Basin on May 28 and the Islands Basin on June 2. She noted that work on water needs forecasts is announced through public notices in the *Environmental Monitor*.

Hansen provided an update on the hydrologic conditions for April 2015. Statewide precipitation was below average for the third month in a row. As a result, fire danger is high. Streamflows are

in the normal range, statewide, and reservoir levels are normal. The Drought Monitor shows that two-thirds of the state is abnormally dry. Values in the Standardized Precipitation Index are in the normal range, though values in the western part of the state are borderline for the advisory range. The Drought Outlook indicates that drought conditions are unlikely to form in the state in the near term.

Baskin noted that Hansen is scheduled to retire soon and thanked him for his many years of service. She commended Hansen for the knowledge and expertise he brought to his position and his contributions to both DCR and the Water Resources Commission. Yeo expressed his gratitude to Hansen for his contributions on a variety of topics, including improving the precipitation monitoring network. He noted interest by many outside parties in the precipitation data. Rao acknowledged the historical perspective and breadth and depth of knowledge Hansen brought to quarterly review meetings with the U.S. Geological Survey.

Agenda Item #2: Discussion: Draft WRC Work Plan, FY2016

Carroll reviewed tasks in the commission's draft work plan for FY2016, which begins July 1. She noted that steady progress is being made on updating the Water Conservation Standards. She added that WRC staff plan to seek public review and comment on the standards and to develop a short list of tasks to support implementation. This includes a recommendation from the Water Conservation Standards Work Group for a website to serve as a key reference source on water conservation.

Yeo leaves.

Carroll also highlighted work related to basin planning and Water Management Act permit renewals, the Interbasin Transfer Act and regulations, water needs forecasting, the U.S. Geological Survey Cooperative Program, and water conditions analysis. Hutchins added that staff are working on moving the rainfall database to a new platform that will allow compilation of daily rainfall data. Carroll invited input on the work plan.

Baskin requested a vote at the commission's June meeting. Purinton moved to accept the draft work plan. Balzotti seconded. However, Purinton withdrew his motion, since a vote had not been scheduled on the May agenda.

Agenda Item #3: Discussion: Update on the Revision of the Water Conservation Standards: Chapter 5 (Residential Water Use), Chapter 9 (Outdoor Water Use) and Associated Appendixes

Baskin introduced Anne Carroll and Marilyn McCrory of DCR to provide an overview of updates to Chapter 5, Residential Water Use, and Chapter 9, Outdoor Water Use, of the Water Conservation Standards.

Carroll briefly reviewed the history of the Water Conservation Standards and updates made to date. She noted that the intent of the proposed changes to the chapters on residential water use and outdoor water use is to incorporate the latest thinking on these topics, consolidate the standards and recommendations to focus on core messages, and make the document more user-friendly.

Fine arrives.

McCrary summarized the proposed updates to Chapter 5, Residential Water Use, starting with the standards. She noted the discussion of the residential consumption standard, 65 gallons per capita per day (gpcd), by the Water Conservation Standards Work Group and the Work Group's decision to leave the standard in place, concluding that 65 gpcd is an achievable standard. She added that, in this revision, the standard is presented in two ways. Standard 1, "Use residential water efficiently" is directed to all water users, and Standard 2, "Meet the performance standard of 65 gpcd" is directed to communities and water suppliers. She noted the Work Group expressed a preference for clear, unambiguous language in the standards and suggested removing the language "...meet or demonstrate steady progress towards meeting..." She added that the chapter still includes language recognizing the need for flexibility in meeting the standard. It also includes language encouraging efforts to achieve higher efficiency, if warranted by local conditions.

She discussed changes to the third standard, "Implement a comprehensive residential water conservation program," noting the addition of a program outline and references to outdoor water use and education as key components of a comprehensive program. She noted that one former standard, which referenced compliance with the Plumbing Code, was eliminated, since compliance with the law is mandatory.

McCrary summarized proposed changes to the recommendations, noting that the recommendations provide a toolbox of best practices. She noted that the recommendations were consolidated to focus on core messages and reorganized by audience. She highlighted recommendations related to plumbing fixture and appliance efficiency, promotions and incentives, alternative technologies, and references to the higher bar for efficiency established by EPA's WaterSense and Energy Star programs. She also described updates to Appendix D, which summarizes improvements in indoor water use since enactment of the Energy Policy Act of 1992.

Comments, questions, and responses:

- Purinton noted that the Appendix D graph shows an increase in average daily water use by showers since studies done in the 1990s.
- Pederson commented that the distinction between Standards 1 and 2 could be clearer.
- Pederson stated a preference for the existing language for the 65 gpcd standard, "...meet or demonstrate steady progress towards meeting..."
- Pederson: What kind of assistance did the Work Group envision for the recommendation to "facilitate leak repair" in the home? She expressed concern that financial assistance requirements might be incorporated into permits. Response (McCrary): This recommendation was in the earlier version, and the Work Group felt it was important to keep a focus on household leaks. The Work Group discussed the San Antonio "Plumbers for People" model, but kept the recommendation broad, recognizing that such programs require resources to implement.
- Pederson: Are there barriers to using reclaimed water? Responses (Carroll and others): Yes, the level of treatment required and the need to build a separate piping system often makes this alternative cost-prohibitive, unless there are other reasons to use

reclaimed water. DEP has had discussions about water reuse with the Massachusetts Plumbing Board, but these are longer-term discussions. Examples of existing water reuse systems in Massachusetts were cited.

Carroll summarized proposed changes to Chapter 9, Outdoor Water Use. The introduction incorporates language from the commission's Lawn & Landscape Policy. Standard 1 emphasizes reducing water use by minimizing the need for watering through the adoption of "water-smart principles," which include maintaining healthy soils, choosing the right plants, and planning landscapes so that rainwater can meet all watering needs.

Yeo returns.

Carroll described Standard 2, which addresses situations where irrigation may be warranted and points readers to best management practices for these systems. It also references the new law requiring system interruption devices. Standard 3 is addressed to communities, and urges adoption of a bylaw to restrict nonessential uses of water and outlines elements that such a bylaw should include.

Carroll summarized the proposed recommendations related to outdoor water use. These are organized by audience. She highlighted new recommendations to inventory irrigation systems and to calculate a winter/summer ratio as a tracking tool. Carroll also described updates to two appendixes related to outdoor water use.

Comments, questions, and responses:

- What is the status of the regulations on system interruption devices? (Baskin, conveying a question from Commissioner Lebeaux). Response (Weidman): DEP has had informal discussions with the Irrigation Association but has not yet started writing the regulations.
- Purinton: How many communities do not have a water-use restriction bylaw? Does DEP provide technical assistance to improve the quality of such bylaws? Response (Carroll, Weidman, and others): DEP staff can provide the number of communities that have adopted bylaws. DEP provides a model bylaw on its website.
- DeRonde: If a town adopted the provisions of a water-use restriction bylaw outlined in Recommendation 6, would essential water uses be exempt? Response (Carroll and others): Each town would decide. Farmers would likely be working with the Natural Resources Conservation Service to implement efficiency measures. A cross-reference to Chapter 8, Agricultural Water Use, can be added, and DeRonde was invited to suggest clarifying language for agricultural entities.
- Jack: Bylaws are difficult to implement in towns. Policy is easier to adopt, revise, and implement.

Discussion ensued on the value of conservation and potential impacts on permitting requirements. Jack acknowledged the value of conservation, but expressed concern that communities might be penalized for being effective at conservation, through a reduction of water allocation in permits or through permitting requirements related to baseline and mitigation. Yeo commented that conservation can be a resource to accommodate growth. He

noted declines in water demand over the past twenty years, while growth has continued to occur. Rao noted that both the Interbasin Transfer Act and Water Management Act provide flexibility to communities in avoiding some regulatory requirements by implementing conservation measures. Weidman added that the intent of the regulations is to encourage conservation and demand management.

Baskin invited comments on Chapters 5 and 9 by May 22, adding that this deadline is flexible. Pederson requested that a presentation be offered on the entire *Water Conservation Standards* document, followed by an open comment period for sixty days.

Pederson announced that, in association with Drinking Water Week, DEP had provided recognition to forty-one water supply systems for their exemplary work.

Meeting adjourned, 2:10 p.m.

Documents or Exhibits Used at Meeting:

1. Draft WRC Work Plan, FY2016
2. Draft revisions, Massachusetts Water Conservation Standards:
 - Chapter 5, Residential Water Use – draft, clean version
 - Chapter 5, Residential Water Use – draft, redline
 - Chapter 9, Outdoor Water Use – draft, clean version
 - Chapter 9, Outdoor Water Use – draft, redline
 - Appendix D – Improvements in Household Water Efficiency and Standards – draft, clean version
 - Appendix D – draft, redline
 - Appendix I – Summary of Water Conservation and Water Quality Recommendations for Lawns and Landscapes – draft, clean version
 - Appendix I – draft, redline
 - Appendix J – Guidelines for Efficient Irrigation – draft, clean version
 - Appendix J – draft, redline
3. Notice from the Massachusetts Water Resources Commission: Receipt of a Request for Determination of Insignificance under the Interbasin Transfer Act, MGL Chapter 21 Sections 8b-8d
4. Public Notice dated April 24, 2015: Schedule for Preparation of Water Needs Forecasts for Public Water Suppliers with Water Management Act Permits in the Concord River Basin
5. Interbasin Transfer Act project status report, April 22, 2015
6. Current Water Conditions in Massachusetts, May 7, 2015

Agendas, minutes, and meeting documents are available on the web site of the Water Resources Commission at www.mass.gov/eea/wrc under "MA Water Resources Commission Meetings."