Central Region Registration Statements

ACTON -V21400202 -IDYLWILDE FARM INC

ACTON -21400203 -ACTON WATER DISTRICT (Revised)

ACTON -21400206 -W R GRACE & CO - CONN

ASHBURNHAM -20701101 -ASHBURNHAM WATER DEPARTMENT

AYER -21101901 -AYER DPW WATER DIVISION

AYER -21101903 -MASSACHUSETTS DEVELOPMENT FINANCE AGENCY

AYER -21301901 -AYER DPW WATER DIVISION

BARRE -20802101 -BARRE WATER DEPARTMENT

BELLINGHAM -21202501 -BELLINGHAM DPW WATER & SEWER DIVISION

BELLINGHAM -22002501 -BELLINGHAM DPW WATER & SEWER DIVISION

BERLIN -21402802 -AMRIZE NORTHEAST INC (Revised)

BLACKSTONE -21203201 -BLACKSTONE WATER DEPARTMENT

BOLTON -21103401 -ESCALANTE - THE INTERNATIONAL LLC

BOYLSTON -21103902 -BOYLSTON WATER DISTRICT

BOYLSTON -21203901 -BOYLSTON WATER DISTRICT

BOYLSTON -V21103901 -THE HAVEN COUNTRY CLUB

BROOKFIELD -20804501 -BROOKFIELD WATER DEPARTMENT

CLINTON -21106402 -MWRA

CLINTON -21106403 -CLINTON WATER DEPARTMENT

DOUGLAS -21207701 -DOUGLAS WATER DEPARTMENT

DUDLEY -21008001 -DUDLEY WATER DEPARTMENT

EAST BROOKFIELD -20808401 -EAST BROOKFIELD WATER DEPARTMENT

FITCHBURG -20809701 -FITCHBURG WATER DEPARTMENT

FITCHBURG -21109704 -OAK HILL COUNTRY CLUB

FITCHBURG -21109705 -NEWARK INTERNATIONAL

FITCHBURG -21109706 -FITCHBURG WATER DEPARTMENT

FRANKLIN -22010102 -FRANKLIN DPW WATER DIVISION

FRANKLIN -22010103 -FRANKLIN COUNTRY CLUB

GARDNER -20710301 -GARDNER WATER DEPARTMENT

GRAFTON -21211002 -SOUTH GRAFTON WATER DISTRICT

GRAFTON -21211004 -GRAFTON WATER DISTRICT (Revised)

GRAFTON -21218604 -AMRIZE NORTHEAST INC (Revised)

GROTON -21111501 -WEST GROTON WATER DISTRICT

GROTON -21111502 -HOLLINGSWORTH & VOSE COMPANY

GROTON -21311501 -GROTON WATER DEPARTMENT

HOLDEN -21113401 -BUSY BEE NURSERY

HOLDEN -21113404 -HOLDEN WATER DEPARTMENT

HOLDEN -21113406 -R J PAQUETTE LLC

HOLDEN -V21113402 -CLARIANT PLASTICS & COATINGS USA- HOLDEN

HOLLISTON -22013601 -HOLLISTON WATER DEPARTMENT

HOPEDALE -21213801 -HOPEDALE COUNTRY CLUB

HOPEDALE -21213802 -HOPEDALE WATER DEPARTMENT

HOPKINTON -21413901 -HOPKINTON WATER DEPARTMENT

HOPKINTON -21413902 -LEGACY FARMS LLC

HUDSON -21414101 -HUDSON REED OWNER LLC_2026-03-24 (Transferred)

HUDSON -21414102 -HUDSON WATER DEPARTMENT

LANCASTER -21114701 -LANCASTER WATER DEPARTMENT

LEICESTER -21015101 -CHERRY VALLEY & ROCHDALE WATER DIS

LEICESTER -21215101 -LEICESTER WATER SUPPLY DISTRICT

LEOMINSTER -21115302 -LEOMINSTER DPW WATER DIVISION

LEOMINSTER -21115303 -GOVE FARM

LITTLETON -21315801 -PATRIOT BEVERAGES LLC

LITTLETON -21315802 -AMRIZE NORTHEAST INC (Revised)

LITTLETON -21315803 -LITTLETON WATER DEPARTMENT

LUNENBURG -21109703 -PJKEATING COMPANY (Revised)

LUNENBURG -21116201 -LUNENBURG WATER DISTRICT

MARLBOROUGH -21417001 -MARLBOROUGH DPW WATER DIVISION

MAYNARD -21417401 -MAYNARD DEPARTMENT OF PUBLIC WORKS

MEDFIELD -21917501 -MEDFIELD WATER DEPARTMENT

MEDFIELD -22017501 -MEDFIELD WATER DEPARTMENT

MEDWAY -22017701 -MEDWAY WATER DEPARTMENT

MILFORD -22018501 -MILFORD WATER COMPANY

MILLBURY -21218602 -AQUARION WATER COMPANY: MILLBURY

MILLIS -22018701 -TRESCA BROTHERS SAND & GRAVEL INC

MILLIS -22018702 -MILLIS WATER DEPARTMENT

NORFOLK -22020802 -NORFOLK WATER DEPARTMENT

NORFOLK -22020804 -MCI NORFOLK

NORTH BROOKFIELD -20821201 -NORTH BROOKFIELD WATER

DEPARTMENT NORTHBOROUGH -21421502 -BIGELOW NURSERIES INC

NORTHBOROUGH -21421503 -NORTHBOROUGH WATER & SEWER DEPT

NORTHBOROUGH -21421504 -BERBERIAN FARMS

NORTHBRIDGE -21221601 -WHITINSVILLE WATER COMPANY

-NORTHBRIDGE -21221602 -RE NORTH ROCK LLC (Transferred)

-NORTHBRIDGE -21221603 -WHITINSVILLE GOLF CLUB

OXFORD -21022601 -AQUARION WATER COMPANY: OXFORD

PAXTON -21122802 -PAXTON WATER DEPARTMENT

PEPPERELL -21123202 -PEPPERELL WATER DEPARTMENT

PRINCETON -21124101 -WACHUSETT MOUNTAIN ASSOCIATES

RUTLAND -21125701 -RUTLAND WATER DEPARTMENT

SHREWSBURY -21227101 -SHREWSBURY WATER & SEWER

DEPARTMENT SOUTHBRIDGE -20927801 -SOUTHBRIDGE WATER

DEPARTMENT SPENCER -20828001 -SPENCER WATER DEPARTMENT

SPENCER -20828002 -BOND CONSTRUCTION CORPORATION

STERLING -21128202 -STERLING DEPARTMENT OF PUBLIC WORKS

STOW -21428602 -STOW ACRES EQUITIES LLC -Transferred

STURBRIDGE -20928701 -STURBRIDGE WATER DEPARTMENT

SUTTON -21229002 -PLEASANT VALLEY COUNTRY CLUB

TEMPLETON -20729401 -TEMPLETON WATER DEPARTMENT

TEMPLETON -20729402 -SEAMAN PAPER CO OF MASS INC

TOWNSEND -21129902 -TOWNSEND WATER DEPARTMENT

UXBRIDGE -21230401 -UXBRIDGE WATER DEPARTMENT

WEBSTER -21031603 -WEBSTER DPW

WEST BOYLSTON -21132101 -WEST BOYLSTON WATER DISTRICT

WEST BOYLSTON -21132102 -WACHUSETT COUNTRY CLUB

WEST BROOKFIELD -20832301 -WEST BROOKFIELD WATER

DEPARTMENT WESTBOROUGH -21432804 -WESTBOROUGH WATER

DEPARTMENT WESTMINSTER -21133201 -WESTMINSTER WATER

DEPARTMENT WESTMINSTER -21133202 -WESTMINSTER GOLF COURSE

INC WINCHENDON -20734301 -WINCHENDON WATER DEPARTMENT

WORCESTER -21134801 -WORCESTER DPW

WORCESTER -21234803 -TATNUCK COUNTRY CLUB

WORCESTER -21234804 -WORCESTER COUNTRY CLUB

WORCESTER -21234805 -WORCESTER DPW

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

IDYLWILDE FARM INC
366 CENTRAL STREET
ACTON, MA 01720

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***V21400202*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ACTON -# V21400202 - IDYLWILDE FARM INC- WMA-Registration -2023-/04-/06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

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Bonnie Heiple
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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** V21400202 River Basin: CONCORD

Registrant: IDYLWILDE FARM INC

Use: Agriculture

Average Volume per Day (MGD): 0.03 Total Annual Volume (MGY): 2.52
Days of Operation: 92

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
WM4336-01S	S	FORT POND BROOK

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

October 31, 2023

ACTON WATER DISTRICT
P O BOX 953
ACTON, MA 01720

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The REVISED Water Management Act Registrant Statement # ***21400203*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ACTON-#21400203 - ACTON WATER DISTRICT- WMA-Registration -2023-10-31_Revised

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21400203 River Basin: CONCORD

Registrant: ACTON WATER DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 1.56 Total Annual Volume (MGY): 569.40
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033
Revised: October 31, 2023

Number of registered withdrawal points: 13
Groundwater: 13 Surface water: 0

Source ID	Type	Source Name
2002000-01G	G	WHITCOMB WELL
2002000-02G	G	CONANT WELL #1
2002000-04G	G	CHRISTOFFERSON WELL
2002000-06G	G	ASSABET WELL #2
2002000-21G	G	SCRIBNER GP WELL #12
2002000-22G	G	SCRIBNER GP WELL #23
2002000-23G	G	SCRIBNER GP WELL #5
2002000-25G	G	CLAPP WELL #3:02 REP
2002000-03G	G	LAWSBROOK WELL
2002000-19G	G	ASSABET WELL #2A REP
2002000-20G	G	SCRIBNER GP WELL #79:1
2002000-24G	G	CLAPP WELL #1:02 REP
2002000-26G	G	ASSABET WELL #1A REP

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



October 31, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

W R GRACE & CO - CONN
ATTN ATTN PAUL BUCENS
7500 GRACE DRIVE
COLUMBIA, MD 21044

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21400206*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ACTON-# 21400206-W R GRACE & CO - CONN- WMA-Registration -2023/04/06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21400206 River Basin: CONCORD

Registrant: W R GRACE & CO - CONN

Use: Industry

Average Volume per Day (MGD): 0.58 Total Annual Volume (MGY): 211.70
Days of Operation: 365

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 2 Surface water: 0

Source ID	Type	Source Name
WM4369-01G	G	WRG #1
WM4369-02G	G	WRG #2

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
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The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

ASHBURNHAM WATER DEPARTMENT
17 CENTRAL STREET
ASHBURNHAM, MA 01430

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***20701101*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ASHBURNHAM-# 20701101-ASHBURNHAM WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 20701101 River Basin: MILLERS

Registrant: ASHBURNHAM WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.18 Total Annual Volume (MGY): 65.70
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
2011000-01S	S	UPPER NAUKEAG LAKE

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

AYER DPW WATER DIVISION
25 BROOK STREET
AYER, MA 01432

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21101901*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/AYER-# 21101901-AYER DPW WATER DIVISION- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

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Lieutenant Governor

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Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21101901 River Basin: NASHUA

Registrant: AYER DPW WATER DIVISION

Use: Public Water Supply

Average Volume per Day (MGD): 0.82 Total Annual Volume (MGY): 298.29
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 4
Groundwater: 4 Surface water: 0

Source ID	Type	Source Name
2019000-01G	G	GROVE POND WELL #1
2019000-02G	G	GROVE POND WELL #2
2019000-06G	G	WELL 6 (GROVE POND 1A)
2019000-07G	G	WELL 7 (GROVE POND 2A)

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Secretary

Bonnie Heiple
Commissioner

April 6, 2023

MASSACHUSETTS DEVELOPMENT FINANCE AGENCY
33 ANDREWS PARKWAY
DEVENS, MA 01434

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21101903*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/AYER-# 21101903-MASSACHUSETTS DEVELOPMENT FINANCE AGENCY- WMA-Registration - 2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement for Public Water Suppliers and Golf Course Water Use Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. Your Registration Statement includes both public water supply and golf course irrigation withdrawals, and so nonessential outdoor water use restrictions for both types of water use are included. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c)1, are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

The nonessential outdoor water use restrictions for golf course irrigation that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c)2. are summarized as follows:

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.

b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21101903 River Basin: NASHUA

Registrant: MASSACHUSETTS DEVELOPMENT FINANCE AGENCY

Use: Public Water Supply and Golf

Average Volume per Day (MGD): 1.35 Total Annual Volume (MGY): 491.69
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 5
Groundwater: 4 Surface water: 1

Source ID	Type	Source Name
2019001-03G	G	MACPHERSON WELL
2019001-04G	G	GROVE POND WELLFIELD
2019001-05G	G	PATTON WELL
2019001-06G	G	SHABOKIN WELL (Replace)
WM4491-01S	S	C-1/NASHUA RIVER

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions for During Times of Drought:

A. Public Water Supplies - Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c)1:

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:
(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

negative saltwater impacts or the transfer of invasive aquatic species;

(b) by permit, license, statute or regulation;

(c) for the production of food, including vegetable gardens, and fiber;

(d) for the maintenance of livestock;

(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:

1. plant nurseries as necessary to maintain stock;
2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;

(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,

(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,

(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or

(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

B. Golf Operations - The Registrant shall implement limits on nonessential outdoor water use when the Secretary of Energy and Environmental Affairs declares a Level-1 Mild Drought or higher for the Drought Region where the Registrant's withdrawals are located, in accordance with 310 CMR 36.07(2)(c).

For withdrawals for the maintenance of golf course greens, tees, fairways, and roughs during a drought declaration by the Secretary for the drought region, county or watershed where the Registrant's withdrawals are located, the Registrant shall comply with the following restrictions on nonessential outdoor water use:

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.

b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

In accordance with 310 CMR 36.07(2)(c), once implemented, restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

If a portion of the Registrant's withdrawal is for non-golf course irrigation purposes and is used to meet the core function of its business as a venue for weddings or similar special events, the Registrant may water by means of a hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants. Such watering is excluded from the definition of Nonessential Outdoor Water Use in 310 CMR 36.03.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal

This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of

the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

AYER DPW WATER DIVISION
25 BROOK STREET
AYER, MA 01432

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21301901*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/AYER-# 21301901-AYER DPW WATER DIVISION- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21301901 River Basin: MERRIMACK

Registrant: AYER DPW WATER DIVISION

Use: Public Water Supply

Average Volume per Day (MGD): 0.66 Total Annual Volume (MGY): 240.90
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 2 Surface water: 0

Source ID	Type	Source Name
2019000-09G	G	SPECTACLE POND WELL #2A
2019000-10G	G	SPECTACLE POND WELL #1B

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
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Department of Environmental Protection
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Boston, MA 02114

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Department of Environmental Protection
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April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

BARRE WATER DEPARTMENT
441 WHEELWRIGHT ROAD
BARRE, MA 01005

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***20802101*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/BARRE-# 20802101-BARRE WATER DEPARTMENT- WMA-Registration -2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 20802101 River Basin: CHICOPEE

Registrant: BARRE WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.26 Total Annual Volume (MGY): 93.30
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 4
Groundwater: 3 Surface water: 1

Source ID	Type	Source Name
2021000-01G	G	WELL #1
2021000-01S	S	BARRE TOWN RESERVOIR
2021000-02G	G	WELL #2
2021000-03G	G	SOUTH BARRE WELL

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Commissioner

April 6, 2023

BELLINGHAM DPW WATER & SEWER DIVISION
26 BLACKSTONE STREET
BELLINGHAM, MA 02019-1602

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21202501*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/BELLINGHAM-# 21202501-BELLINGHAM DPW WATER & SEWER DIVISION- WMA-Registration - 2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21202501 River Basin: BLACKSTONE

Registrant: BELLINGHAM DPW WATER & SEWER DIVISION

Use: Public Water Supply

Average Volume per Day (MGD): 0.77 Total Annual Volume (MGY): 281.05
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 8
Groundwater: 8 Surface water: 0

Source ID	Type	Source Name
2025000-02G	G	GP WELL #2.1
2025000-03G	G	GP WELL #3.1
2025000-04G	G	GP WELL #4
2025000-13G	G	GP WELL #2.2
2025000-14G	G	GP WELL #2.3
2025000-15G	G	GP WELL #2.4
2025000-21G	G	GP WELL #3.3
2025000-22G	G	GP WELL #1.1

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

BELLINGHAM DPW WATER & SEWER DIVISION
26 BLACKSTONE STREET
BELLINGHAM, MA 02019-1602

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***22002501*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/BELLINGHAM-# 22002501-BELLINGHAM DPW WATER & SEWER DIVISION- WMA-Registration - 2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 22002501 River Basin: CHARLES

Registrant: BELLINGHAM DPW WATER & SEWER DIVISION

Use: Public Water Supply

Average Volume per Day (MGD): 0.39 Total Annual Volume (MGY): 142.35
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 3
Groundwater: 3 Surface water: 0

Source ID	Type	Source Name
2025000-05G	G	GP WELL #5
2025000-08G	G	GP WELL #8
2025000-23G	G	GP WELL #7.1

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

February 24, 2026

Amrize Northeast Inc.
35 Village Road
Suite 703
Middleton, MA 01949

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The REVISED Water Management Act Registrant Statement # ***21402802*** for 2026-2035.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ BERLIN-# 21402802-AMRIZE NORTHEAST INC.- WMA-Registration-2026/02/24_Revised

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
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Rebecca L. Tepper
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Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2026-2035[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from February 24, 2026 through April 7, 2035. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 4/8/2023 through 4/7/2033 was extended by 2 years by Section 280 of Chapter 238 of the Acts of 2024.

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21402802 River Basin: CONCORD

Registrant: AMRIZE NORTHEAST INC.
771 Donald Lynch Boulevard
Berlin, MA

Use: Industry

Average Volume per Day (MGD): 0.34 Total Annual Volume (MGY): 122.40
Days of Operation: 365

Effective Date: February 24, 2026 Expiration Date: April 7, 2035

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
WM4656-01S	S	ASSABET RIVER

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal
This Registration Statement is effective from February 24, 2026, and expires on April 7, 2035. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

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Kathleen M Baskin

February 24, 2026

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
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Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

BLACKSTONE WATER DEPARTMENT
53 ELM STREET
BLACKSTONE, MA 01504

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21203201*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/BLACKSTONE-# 21203201-BLACKSTONE WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21203201 River Basin: BLACKSTONE

Registrant: BLACKSTONE WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.44 Total Annual Volume (MGY): 160.60
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 3
Groundwater: 3 Surface water: 0

Source ID	Type	Source Name
2032000-04G	G	WELL #4
2032000-05G	G	WELL #5 AND 5A
2032000-07G	G	WELL #7

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

ESCALANTE - THE INTERNATIONAL LLC
159 BALLVILLE ROAD
BOLTON, MA 01740

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***21103401*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ BOLTON-#21103401 - ESCALANTE - THE INTERNATIONAL LLC-WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
For Golf Course Water Use
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, you shall comply with the following restrictions on nonessential outdoor water use when such restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c)2. are summarized as follows:

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.

b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of raw water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21103401 River Basin: NASHUA

Registrant: ESCALANTE - THE INTERNATIONAL LLC

Use: Golf

Average Volume per Day (MGD): 0.12 Total Annual Volume (MGY): 42.60
Days of Operation: 365

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 3
Groundwater: 3 Surface water: 0

Source ID	Type	Source Name
2034004-03G	G	WELL #3
WM4492-01G	G	WELL #1 (IRRIGATION)
WM4492-02G	G	WELL #2 (IRRIGATION)

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times Of Drought:
The Registrant shall implement limits on nonessential outdoor water use when the Secretary of Energy and Environmental Affairs declares a Level-1 Mild Drought or higher for the Drought Region where the Registrant's withdrawals are located, in accordance with 310 CMR 36.07(2)(c).

For withdrawals for the maintenance of golf course greens, tees, fairways, and roughs during a drought declaration by the Secretary for the drought region, county or watershed where the Registrant's withdrawals are located, the Registrant shall comply with the following restrictions on nonessential outdoor water use:

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.
b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

In accordance with 310 CMR 36.07(2)(c), once implemented, restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

If a portion of the Registrant's withdrawal is for non-golf course irrigation purposes and is used to meet the core function of its business as a venue for weddings or similar special events, the Registrant may water by means of a hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants. Such watering is excluded from the definition of Nonessential Outdoor Water Use in 310 CMR 36.03.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

Registrants shall notify the Department in writing within 14 days of the effective date whenever required Nonessential Water Use Restrictions are implemented or revised in accordance with the Secretary's drought declaration for the drought region, county, or watershed where the withdrawals are located.

The Notification of Water Use Restriction form is found at https://www.mass.gov/info-details/outdoor-water-use-restrictions-for-cities-towns-and-golf-courses.

Note: Registrants shall comply with Condition 3 provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use,** then the conditions in the permit shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on nonessential outdoor water use** must comply with Condition 3.

4. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

5. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

6. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

7. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

BOYLSTON WATER DISTRICT
75 MAIN STREET
BOYLSTON, MA 01505

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21103902*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/BOYLSTON-# 21103902-BOYLSTON WATER DISTRICT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Secretary

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Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21103902 River Basin: NASHUA

Registrant: BOYLSTON WATER DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.19 Total Annual Volume (MGY): 69.35
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 2 Surface water: 0

Source ID	Type	Source Name
2039000-01G	G	WELL #1
2039000-02G	G	WELL #2

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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April 6, 2023

BOYLSTON WATER DISTRICT
74 MAIN STREET
BOYLSTON, MA 01505

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21203901*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/BOYLSTON-# 21203901-BOYLSTON WATER DISTRICT- WMA-Registration -2023-04-06

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The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21203901 River Basin: BLACKSTONE

Registrant: BOYLSTON WATER DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.17 Total Annual Volume (MGY): 62.05
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 2 Surface water: 0

Source ID	Type	Source Name
2039000-04G	G	GP WELL #4
2039000-05G	G	GP WELL #5

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
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Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

THE HAVEN COUNTRY CLUB
P. O. BOX 756
BOYLSTON, MA 01505

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***V21103901*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ BOYLSTON-#V21103901 - THE HAVEN COUNTRY CLUB-WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Commissioner

Massachusetts Water Management Act Registration Statement
For Golf Course Water Use
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, you shall comply with the following restrictions on nonessential outdoor water use when such restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c)2. are summarized as follows:

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.

b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

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Lieutenant Governor

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Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of raw water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** V21103901 River Basin: NASHUA

Registrant: THE HAVEN COUNTRY CLUB

Use: Golf

Average Volume per Day (MGD): 0.03 Total Annual Volume (MGY): 7.04
Days of Operation: 214

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
WM4493-01S	S	IMPOUNDMENT OF UNNAMED TR

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TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times Of Drought:
The Registrant shall implement limits on nonessential outdoor water use when the Secretary of Energy and Environmental Affairs declares a Level-1 Mild Drought or higher for the Drought Region where the Registrant's withdrawals are located, in accordance with 310 CMR 36.07(2)(c).

For withdrawals for the maintenance of golf course greens, tees, fairways, and roughs during a drought declaration by the Secretary for the drought region, county or watershed where the Registrant's withdrawals are located, the Registrant shall comply with the following restrictions on nonessential outdoor water use:

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.
b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

In accordance with 310 CMR 36.07(2)(c), once implemented, restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

If a portion of the Registrant's withdrawal is for non-golf course irrigation purposes and is used to meet the core function of its business as a venue for weddings or similar special events, the Registrant may water by means of a hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants. Such watering is excluded from the definition of Nonessential Outdoor Water Use in 310 CMR 36.03.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

Registrants shall notify the Department in writing within 14 days of the effective date whenever required Nonessential Water Use Restrictions are implemented or revised in accordance with the Secretary's drought declaration for the drought region, county, or watershed where the withdrawals are located.

The Notification of Water Use Restriction form is found at https://www.mass.gov/info-details/outdoor-water-use-restrictions-for-cities-towns-and-golf-courses.

Note: Registrants shall comply with Condition 3 provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use,** then the conditions in the permit shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on nonessential outdoor water use** must comply with Condition 3.

4. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

5. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

6. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

7. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

BROOKFIELD WATER DEPARTMENT
6 CENTRAL STREET
BROOKFIELD, MA 01506

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***20804501*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/BROOKFIELD-# 20804501-BROOKFIELD WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
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Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 20804501 River Basin: CHICOPEE

Registrant: BROOKFIELD WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.09 Total Annual Volume (MGY): 32.38
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 4
Groundwater: 4 Surface water: 0

Source ID	Type	Source Name
2045000-02G	G	GDW #2 QUABOG STREET
2045000-03G	G	GDW #3 QUABOG STREET
2045000-04G	G	GDW #4 QUABOG STREET
2045000-05G	G	GDW #5 QUABOG STREET

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

MWRA
100 FIRST AVENUE, CNY
CHARLESTOWN, MA 02129

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21106402*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,



Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/CLINTON-# 21106402-MWRA- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21106402 River Basin: NASHUA

Registrant: MWRA

Use: Public Water Supply

Average Volume per Day (MGD): 126.12* Total Annual Volume (MGY): 46033.80*
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 0 Surface water: 2

Source ID	Type	Source Name
6000000-01S	S	COSGROVE AQUEDUCT INTAKE
6000000-01S	S	WACHUSETT RESERVOIR

*NORMAL VARIATION: MWRA is registered for 126.12 MGD in the Nashua River Basin and 186.70 MGD in the Chicopee Basin, for a total registered volume of 312.82 MGD. In accordance with 310 CMR 36.36, the Department has determined that with normal variation MWRA can withdraw up to 179.00 MGD from the Nashua River Basin and up to 278.30 MGD in the Chicopee Basin. As further required by 310 CMR 36.36(3) withdrawals authorized through normal variation cannot exceed the total registered volume. Therefore, MWRA's combined withdrawal volumes from the Nashua River Basin and the Chicopee Basin cannot exceed the total registered withdrawal volume of 312.82 MGD, including the normal variation, in any year.

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

CLINTON WATER DEPARTMENT
242 CHURCH STREET
CLINTON, MA 01510

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21106403*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/CLINTON-# 21106403-CLINTON WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Rebecca L. Tepper
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Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21106403 River Basin: NASHUA

Registrant: CLINTON WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 2.00 Total Annual Volume (MGY): 731.30
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
2064000-03S	S	WACHUSETT RESERVOIR

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

DOUGLAS WATER DEPARTMENT
WEST STREET
EAST DOUGLAS, MA 01516-0624

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21207701*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/EAST DOUGLAS-# 21207701-DOUGLAS WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21207701 River Basin: BLACKSTONE

Registrant: DOUGLAS WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.20 Total Annual Volume (MGY): 73.00
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 2 Surface water: 0

Source ID	Type	Source Name
2077000-01G	G	WEST STREET TUBULAR WELLS
2077000-02G	G	WEST STREET WELL #2

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

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Office of Appeals and Dispute Resolution
Department of Environmental Protection
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Boston, MA 02114

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Commonwealth of Massachusetts Lock Box
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April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

DUDLEY WATER DEPARTMENT
TOWN HALL
71 WEST MAIN STREET
DUDLEY, MA 01571

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21008001*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/DUDLEY-# 21008001-DUDLEY WATER DEPARTMENT- WMA-Registration -2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21008001 River Basin: FRENCH

Registrant: DUDLEY WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 1.03 Total Annual Volume (MGY): 375.83
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 5
Groundwater: 5 Surface water: 0

Source ID	Type	Source Name
2080000-01G	G	WELL #1
2080000-03G	G	WELL #3
2080000-04G	G	WELL #4
2080000-05G	G	WELL #5
2080000-07G	G	WELL #7

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

EAST BROOKFIELD WATER DEPARTMENT
PO BOX 640
EAST BROOKFIELD, MA 01515

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***20808401*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/EAST BROOKFIELD-# 20808401-EAST BROOKFIELD WATER DEPARTMENT- WMA-Registration - 2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 20808401 River Basin: CHICOPEE

Registrant: EAST BROOKFIELD WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.11 Total Annual Volume (MGY): 40.76
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 1 Surface water: 0

Source ID	Type	Source Name
2084000-01G	G	WEST STREET WELL

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

FITCHBURG WATER DEPARTMENT
1200 RINDGE ROAD
FITCHBURG, MA 01420

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***20809701*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/FITCHBURG-# 20809701-FITCHBURG WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 20809701 River Basin: CHICOPEE

Registrant: FITCHBURG WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.67* Total Annual Volume (MGY): 244.55*

*Pursuant to the regulations at 310 CMR 36.36, this registration contains recognition of normal variation in the amount of 2.26 MGD or 824 MGY from Mare Meadow Reservoir in the Chicopee River Basin. As further required by 310 CMR 36.36(3) the total combined withdrawals from your registered sources in the Chicopee River Basin and Nashua River Basin cannot exceed 6.86 MGD on average or 2503.9 MGY in any calendar year.

Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
2097000-06S	S	MARE MEADOW RESERVOIR

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

OAK HILL COUNTRY CLUB
840 OAK HILL ROAD
FITCHBURG, MA 01420

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***21109704*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ FITCHBURG-#21109704 - OAK HILL COUNTRY CLUB-WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
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Massachusetts Water Management Act Registration Statement
For Golf Course Water Use
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, you shall comply with the following restrictions on nonessential outdoor water use when such restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c)2. are summarized as follows:

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.

b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Bonnie Heiple
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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of raw water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21109704 River Basin: NASHUA

Registrant: OAK HILL COUNTRY CLUB

Use: Golf

Average Volume per Day (MGD): 0.11 Total Annual Volume (MGY): 9.90
Days of Operation: 90

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 3
Groundwater: 3 Surface water: 0

Source ID	Type	Source Name
WM4500-01G	G	16TH WELL
WM4500-02G	G	12TH WELL
WM4500-03G	G	14TH WELL

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times Of Drought:
The Registrant shall implement limits on nonessential outdoor water use when the Secretary of Energy and Environmental Affairs declares a Level-1 Mild Drought or higher for the Drought Region where the Registrant's withdrawals are located, in accordance with 310 CMR 36.07(2)(c).

For withdrawals for the maintenance of golf course greens, tees, fairways, and roughs during a drought declaration by the Secretary for the drought region, county or watershed where the Registrant's withdrawals are located, the Registrant shall comply with the following restrictions on nonessential outdoor water use:

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.
b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

In accordance with 310 CMR 36.07(2)(c), once implemented, restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

If a portion of the Registrant's withdrawal is for non-golf course irrigation purposes and is used to meet the core function of its business as a venue for weddings or similar special events, the Registrant may water by means of a hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants. Such watering is excluded from the definition of Nonessential Outdoor Water Use in 310 CMR 36.03.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

Registrants shall notify the Department in writing within 14 days of the effective date whenever required Nonessential Water Use Restrictions are implemented or revised in accordance with the Secretary's drought declaration for the drought region, county, or watershed where the withdrawals are located.

The Notification of Water Use Restriction form is found at https://www.mass.gov/info-details/outdoor-water-use-restrictions-for-cities-towns-and-golf-courses.

Note: Registrants shall comply with Condition 3 provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use,** then the conditions in the permit shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on nonessential outdoor water use** must comply with Condition 3.

4. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

5. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

6. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

7. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

NEWARK INTERNATIONAL
100 NEWARK WAY
FITCHBURG, MA 01420

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21109705*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/FITCHBURG-# 21109705-NEWARK INTERNATIONAL- WMA-Registration -2023/04/06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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MassDEP Website: www.mass.gov/dep

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Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21109705 River Basin: NASHUA

Registrant: NEWARK INTERNATIONAL

Use: Industry

Average Volume per Day (MGD): 5.20 Total Annual Volume (MGY): 1898.00
Days of Operation: 365

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 0 Surface water: 2

Source ID	Type	Source Name
WM3630-01S	S	SNOW MILL POND #8 MILL
WM3630-02S	S	SNOW MILL POND CSP

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

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Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

FITCHBURG WATER DEPARTMENT
1200 RINDGE ROAD
FITCHBURG, MA 01420

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21109706*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/FITCHBURG-# 21109706-FITCHBURG WATER DEPARTMENT- WMA-Registration -2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Kimberley Driscoll
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21109706 River Basin: NASHUA

Registrant: FITCHBURG WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 6.19 Total Annual Volume (MGY): 2259.35
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 6
Groundwater: 0 Surface water: 6

Source ID	Type	Source Name
2097000-01S	S	MEETINGHOUSE RESERVOIR
2097000-02S	S	SCOTT RESERVOIR
2097000-03S	S	WACHUSETT LAKE
2097000-04S	S	LOVELL RESERVOIR
2097000-05S	S	FALULAH RESERVOIR
2097000-07S	S	OVERLOOK RESERVOIR

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
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April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

FRANKLIN DPW WATER DIVISION
257 FISHER STREET
FRANKLIN, MA 02038

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***22010102*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/FRANKLIN-# 22010102-FRANKLIN DPW WATER DIVISION- WMA-Registration -2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 22010102 River Basin: CHARLES

Registrant: FRANKLIN DPW WATER DIVISION

Use: Public Water Supply

Average Volume per Day (MGD): 1.99 Total Annual Volume (MGY): 726.35
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 10
Groundwater: 10 Surface water: 0

Source ID	Type	Source Name
2101000-01G	G	WELL #1
2101000-02G	G	WELL #2
2101000-03G	G	WELL #3
2101000-04G	G	WELL #4
2101000-05G	G	WELL #5
2101000-06G	G	WELL #6
2101000-07G	G	WELL #7
2101000-11G	G	WELL #2A
2101000-12G	G	WELL #2B
2101000-13G	G	WELL #3A

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

FRANKLIN COUNTRY CLUB
672 EAST CENTRAL STREET
FRANKLIN, MA 02038

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***22010103*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ FRANKLIN-#22010103 - FRANKLIN COUNTRY CLUB-WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
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Massachusetts Water Management Act Registration Statement
For Golf Course Water Use
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, you shall comply with the following restrictions on nonessential outdoor water use when such restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c)2. are summarized as follows:

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.

b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

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Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of raw water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 22010103 River Basin: CHARLES

Registrant: FRANKLIN COUNTRY CLUB

Use: Golf

Average Volume per Day (MGD): 0.20 Total Annual Volume (MGY): 42.00
Days of Operation: 214

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 1 Surface water: 1

Source ID	Type	Source Name
WM4563-01G	G	WELL
WM4563-01S	S	COURSE RESERVOIR

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times Of Drought:
The Registrant shall implement limits on nonessential outdoor water use when the Secretary of Energy and Environmental Affairs declares a Level-1 Mild Drought or higher for the Drought Region where the Registrant's withdrawals are located, in accordance with 310 CMR 36.07(2)(c).

For withdrawals for the maintenance of golf course greens, tees, fairways, and roughs during a drought declaration by the Secretary for the drought region, county or watershed where the Registrant's withdrawals are located, the Registrant shall comply with the following restrictions on nonessential outdoor water use:

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.
b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

In accordance with 310 CMR 36.07(2)(c), once implemented, restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

If a portion of the Registrant's withdrawal is for non-golf course irrigation purposes and is used to meet the core function of its business as a venue for weddings or similar special events, the Registrant may water by means of a hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants. Such watering is excluded from the definition of Nonessential Outdoor Water Use in 310 CMR 36.03.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

Registrants shall notify the Department in writing within 14 days of the effective date whenever required Nonessential Water Use Restrictions are implemented or revised in accordance with the Secretary's drought declaration for the drought region, county, or watershed where the withdrawals are located.

The Notification of Water Use Restriction form is found at https://www.mass.gov/info-details/outdoor-water-use-restrictions-for-cities-towns-and-golf-courses.

Note: Registrants shall comply with Condition 3 provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use,** then the conditions in the permit shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on nonessential outdoor water use** must comply with Condition 3.

4. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

5. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

6. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

7. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

GARDNER WATER DEPARTMENT
99 HEYWOOD STREET
GARDNER, MA 01440

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***20710301*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/GARDNER-# 20710301-GARDNER WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 20710301 River Basin: MILLERS

Registrant: GARDNER WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 1.69 Total Annual Volume (MGY): 615.97
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 3
Groundwater: 0 Surface water: 3

Source ID	Type	Source Name
2103000-01S	S	CRYSTAL LAKE
2103000-02S	S	PERLEY BROOK
2103000-03S	S	COWEE POND (MARM JOHNS)

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Secretary

Bonnie Heiple
Commissioner

April 6, 2023

SOUTH GRAFTON WATER DISTRICT
370 PROVIDENCE ROAD
SOUTH GRAFTON, MA 01560

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21211002*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/SOUTH GRAFTON-# 21211002-SOUTH GRAFTON WATER DISTRICT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21211002 River Basin: BLACKSTONE

Registrant: SOUTH GRAFTON WATER DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.20 Total Annual Volume (MGY): 73.00
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 3
Groundwater: 3 Surface water: 0

Source ID	Type	Source Name
2110001-01G	G	PROVIDENCE ROAD WELL #1
2110001-02G	G	FERRY STREET WELL #2
2110001-03G	G	FERRY STREET WELL #3

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
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c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

March 10, 2025

GRAFTON WATER DISTRICT
PO BOX 537
GRAFTON, MA 01519

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The REVISED Water Management Act Registrant Statement # ***21211004*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/GRAFTON-# 21211004-GRAFTON WATER DISTRICT- WMA-Registration -2025-03-10-REVISED

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Secretary

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Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21211004

River Basin: BLACKSTONE

Registrant: GRAFTON WATER

DISTRICT Use: Public Water Supply

Average Volume per Day (MGD): 0.60
Days of Operation: 365 days

Total Annual Volume (MGY): 219.00

Effective Date: April 8, 2023

Expiration Date: April 7, 2033

Revised: March 10, 2025

Number of registered withdrawal points: 3
Groundwater: 3

Surface water: 0

Source ID	Type	Source Name
2110000-02G	G	WORCESTER ST GPWELL #1
2110000-04G	G	EAST STREET GP WELL #3
2110000-06G	G	EAST STREET GP WELL #2A

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



March 10, 2025

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

February 24, 2026

Amrize Northeast Inc.
35 Village Road
Suite 703
Middleton, MA 01949

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The REVISED Water Management Act Registrant Statement # ***21218604*** for 2026-2035.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/GRAFTON-# 21218604-AMRIZE NORTHEAST INC.- WMA-Registration-2026/02/24_Revised

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
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Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2026-2035[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from February 24, 2026 through April 7, 2035. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1]The expiration date for Water Management Registration Statements in effect from 4/8/2023 through 4/7/2033 was extended by 2 years by Section 280 of Chapter 238 of the Acts of 2024.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
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Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21218604 River Basin: BLACKSTONE

Registrant: AMRIZE NORTHEAST INC.
116 Worcester Street
Grafton, MA

Use: Industry

Average Volume per Day (MGD): 1.08 Total Annual Volume (MGY): 285.12
Days of Operation: 264

Effective Date: February 24, 2026 Expiration Date: April 7, 2035

Number of registered withdrawal points: 5
Groundwater: 2 Surface water: 3

Source ID	Type	Source Name
WM3861-01G	G	WELL #2
WM3861-01S	S	C-1
WM3861-02G	G	DOMESTIC WELL #3
WM3861-02S	S	WASH WATER PUMP #2
WM3861-03S	S	CONCRETE MIX PLANT #1

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from February 24, 2026, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
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In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

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P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

February 24, 2026

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

WEST GROTON WATER DISTRICT
P.O. BOX 246
WEST GROTON, MA 01472-0246

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21111501*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/WEST GROTON-# 21111501-WEST GROTON WATER DISTRICT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21111501 River Basin: NASHUA

Registrant: WEST GROTON WATER DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.27 Total Annual Volume (MGY): 98.55
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 1 Surface water: 0

Source ID	Type	Source Name
2115001-03G	G	TOWNSEND ROAD WELLFIELD

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

HOLLINGSWORTH & VOSE COMPANY
219 TOWNSEND ROAD
GROTON, MA 01450

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21111502*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/GROTON-# 21111502-HOLLINGSWORTH & VOSE COMPANY- WMA-Registration -2023/04/06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Department of Environmental Protection
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Maura T. Healey
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Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
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Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21111502 River Basin: NASHUA

Registrant: HOLLINGSWORTH & VOSE COMPANY

Use: Industry

Average Volume per Day (MGD): 2.42 Total Annual Volume (MGY): 883.50
Days of Operation: 365

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
WM4504-01S	S	SQUANNACOOK RIVER

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

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Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

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Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
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Kimberley Driscoll
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

GROTON WATER DEPARTMENT
173 MAIN STREET
GROTON, MA 01450

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21311501*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/GROTON-# 21311501-GROTON WATER DEPARTMENT- WMA-Registration -2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
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The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21311501 River Basin: MERRIMACK

Registrant: GROTON WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.22 Total Annual Volume (MGY): 79.04
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 1 Surface water: 0

Source ID	Type	Source Name
2115000-02G	G	BADDACOOK WELL

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

BUSY BEE NURSERY
57 BROAD STREET
P O BOX 99
JEFFERSON, MA 01522

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***21113401*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/JEFFERSON -# 21113401 - BUSY BEE NURSERY- WMA-Registration -2023-/04-/06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21113401 River Basin: NASHUA

Registrant: BUSY BEE NURSERY

Use: Agriculture

Average Volume per Day (MGD): 0.13 Total Annual Volume (MGY): 32.20
Days of Operation: 240

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 0 Surface water: 2

Source ID	Type	Source Name
WM4509-01S	S	BUSY BEE NURSEY POND A
WM4509-02S	S	BUSY BEE NURSEY POND B

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
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The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

HOLDEN WATER DEPARTMENT
1196 MAIN STREET
HOLDEN, MA 01520

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21113404*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/HOLDEN-# 21113404-HOLDEN WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

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Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21113404 River Basin: NASHUA

Registrant: HOLDEN WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 1.15 Total Annual Volume (MGY): 419.16
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 6
Groundwater: 5 Surface water: 1

Source ID	Type	Source Name
2134000-01S	S	MUSCHOPAUGE POND
2134000-02G	G	QUINAPOXET WELL
2134000-03G	G	MILL STREET TWF
2134000-04G	G	MASON ROAD TWF
2134000-05G	G	SPRING STREET REP WELL
2134000-06G	G	QUINIPOXET GP WELL #2

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

R J PAQUETTE LLC
PO BOX 297
HOLDEN, MA 01520

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21113406*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/HOLDEN-# 21113406-R J PAQUETTE LLC- WMA-Registration -2023/04/06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21113406 River Basin: NASHUA

Registrant: R J PAQUETTE LLC

Use: Industry

Average Volume per Day (MGD): 0.30 Total Annual Volume (MGY): 108.89
Days of Operation: 365

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 1 Surface water: 1

Source ID	Type	Source Name
WM4512-01G	G	WELL #1
WM4512-01S	S	C-1 MAN MADE POND

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

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Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

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100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

CLARIANT PLASTICS & COATINGS USA- HOLDEN
85 INDUSTRIAL DRIVE
HOLDEN, MA 01520

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***V21113402*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/HOLDEN-# V21113402-CLARIANT PLASTICS & COATINGS USA- HOLDEN- WMA-Registration - 2023/04/06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

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The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

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GENERAL INFORMATION

Registration Number**:** V21113402 River Basin: NASHUA

Registrant: CLARIANT PLASTICS & COATINGS USA- HOLDEN

Use: Industry

Average Volume per Day (MGD): 0.08 Total Annual Volume (MGY): 29.57
Days of Operation: 365

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 2 Surface water: 0

Source ID	Type	Source Name
WM4510-01G	G	WELL #1
WM4510-02G	G	WELL #2

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

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[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

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Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

HOLLISTON WATER DEPARTMENT
703 WASHINGTON STREET
HOLLISTON, MA 01746

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***22013601*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/HOLLISTON-# 22013601-HOLLISTON WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 22013601 River Basin: CHARLES

Registrant: HOLLISTON WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 1.14 Total Annual Volume (MGY): 416.10
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 5
Groundwater: 5 Surface water: 0

Source ID	Type	Source Name
2136000-01G	G	NORFOLK STREET #1
2136000-04G	G	WASHINGTON STREET #4
2136000-05G	G	CENTRAL STREET #5
2136000-06G	G	BROOK STREET #6
2136000-08G	G	MAPLE STREET #2R

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

HOPEDALE COUNTRY CLUB
57 MILL STREET
PO BOX 126
HOPEDALE, MA 01747

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***21213801*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ HOPEDALE-#21213801 - HOPEDALE COUNTRY CLUB-WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
For Golf Course Water Use
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, you shall comply with the following restrictions on nonessential outdoor water use when such restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c)2. are summarized as follows:

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.

b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Bonnie Heiple
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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of raw water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21213801 River Basin: BLACKSTONE

Registrant: HOPEDALE COUNTRY CLUB

Use: Golf

Average Volume per Day (MGD): 0.10 Total Annual Volume (MGY): 25.00
Days of Operation: 240

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
WM3647-01S	S	MILL RIVER

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times Of Drought:
The Registrant shall implement limits on nonessential outdoor water use when the Secretary of Energy and Environmental Affairs declares a Level-1 Mild Drought or higher for the Drought Region where the Registrant's withdrawals are located, in accordance with 310 CMR 36.07(2)(c).

For withdrawals for the maintenance of golf course greens, tees, fairways, and roughs during a drought declaration by the Secretary for the drought region, county or watershed where the Registrant's withdrawals are located, the Registrant shall comply with the following restrictions on nonessential outdoor water use:

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.
b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

In accordance with 310 CMR 36.07(2)(c), once implemented, restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

If a portion of the Registrant's withdrawal is for non-golf course irrigation purposes and is used to meet the core function of its business as a venue for weddings or similar special events, the Registrant may water by means of a hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants. Such watering is excluded from the definition of Nonessential Outdoor Water Use in 310 CMR 36.03.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

Registrants shall notify the Department in writing within 14 days of the effective date whenever required Nonessential Water Use Restrictions are implemented or revised in accordance with the Secretary's drought declaration for the drought region, county, or watershed where the withdrawals are located.

The Notification of Water Use Restriction form is found at https://www.mass.gov/info-details/outdoor-water-use-restrictions-for-cities-towns-and-golf-courses.

Note: Registrants shall comply with Condition 3 provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use,** then the conditions in the permit shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on nonessential outdoor water use** must comply with Condition 3.

4. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

5. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

6. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

7. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

HOPEDALE WATER DEPARTMENT
HOPEDALE STREET
P O BOX 7
HOPEDALE, MA 01747

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21213802*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/HOPEDALE-# 21213802-HOPEDALE WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21213802 River Basin: BLACKSTONE

Registrant: HOPEDALE WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.41 Total Annual Volume (MGY): 149.65
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 4
Groundwater: 4 Surface water: 0

Source ID	Type	Source Name
2138000-01G	G	MILL STREET WELLFIELD
2138000-02G	G	GREEN ST GP WELL
2138000-03G	G	GREEN ST GP WELL REP #1
2138000-04G	G	GREEN ST GP WELL REP #2

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

LEGACY FARMS LLC
LEGACY FARMS LLC C/O BOULDER CAPITAL
21 CENTER ST
WESTON, MA 02493

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***21413902*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/HOPKINTON -# 21413902 - LEGACY FARMS LLC- WMA-Registration -2023-/04-/06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21413902

River Basin: CONCORD

Registrant: LEGACY FARMS LLC

Use: Agriculture

Average Volume per Day (MGD): 0.76

Total Annual Volume (MGY): 136.80

Days of Operation: 180

Effective Date: April 8, 2023

Expiration Date: April 7, 2033

Number of registered withdrawal points: 17

Groundwater: 0

Surface water: 17

Source ID	Type	Source Name
WM4340-01S	S	RUDY'S POND
WM4340-02S	S	BUSCONI POND
WM4340-03S	S	MEADOW AUX. POND
WM4340-04S	S	MEADOW POND
WM4340-05S	S	GARDEN CENTER POND
WM4340-06S	S	HILL POND
WM4340-07S	S	CANAL SYSTEM
WM4340-08S	S	KIDNEY POND
WM4340-09S	S	IRRIGATION POND

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Source ID	Type	Source Name
WM4340-10S	S	STONE POND
WM4340-11S	S	TONY'S BRIDGE CANAL
WM4340-12S	S	IRRIGATION CANAL/POND
WM4340-13S	S	LEAKY POND
WM4340-14S	S	ISLAND POND
WM4340-15S	S	IRRIGATION POND/FIELD 37N
WM4340-16S	S	IRRIGATION POND/FIELD 28
WM4340-17S	S	IRRIGATION POND/FIELD 37S

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
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Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

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P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency),

county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

HOPKINTON WATER DEPARTMENT
85 WOOD STREET
P O BOX 171
HOPKINTON, MA 01748

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21413901*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/HOPKINTON-# 21413901-HOPKINTON WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Commonwealth of Massachusetts
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21413901 River Basin: CONCORD

Registrant: HOPKINTON WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.56 Total Annual Volume (MGY): 204.40
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 3
Groundwater: 3 Surface water: 0

Source ID	Type	Source Name
2139000-01G	G	FRUIT STREET WELL #1
2139000-02G	G	FRUIT STREET WELL #2
2139000-03G	G	FRUIT STREET WELL #3

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
Department of Environmental Protection
Address: 100 Cambridge Street, Suite 900, Boston MA 02114 | **Phone**: 617-292-5500

Maura T. Healey, Governor
Kim Driscoll, Lieutenant Governor
Rebecca Tepper, Secretary
Bonnie Heiple, Commissioner

March 24, 2026

HUDSON REED OWNER LLC
2310 Washington Street
c/o National Development
Newton, MA 02462

RE: Hudson-WMA BRP WM 01
INTEL CORP
Registration #21414101
26-WM01-0002-APP

Dear Mr. Kinsella:

The Massachusetts Department of Environmental Protection (MassDEP) received a WM 01 registration transfer application on January 16, 2026, to transfer the Intel Corp (21414101) to Hudson Reed Owner LLC. According to the transfer document (BRP WM 01), there will be no change in the use of the authorized water withdrawal volumes or withdrawal points, or in the number of days per year that the water will be withdrawn.

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2026-2035; and
- The Water Management Act Registrant Statement #21414101 for 2026-2035.

If you have any questions regarding the Registration Statement, please contact Linjun Yao at linjun.yao@mass.gov or 781-686-3862.

Sincerely,

Duane LeVangie
Water Management Program Chief
Bureau of Water Resources

Cc: Duane LeVangie, MassDEP-WMA Program, Boston
James Lyons, Deputy Regional Director, MassDEP-CRO

mass.gov.sharepoint.com\ DWPArchive\CERO\Hudson-WMA Registration 21414101-Hudson Reed Owner LLC- Registration Transfer-3-24-2026

Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
Department of Environmental Protection
Address: 100 Cambridge Street, Suite 900, Boston MA 02114 | **Phone**: 617-292-5500

Maura T. Healey Governor | **Kim Driscoll** Lieutenant Governor | **Rebecca Tepper** Secretary | **Bonnie Heiple** Commissioner

Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2026-2035[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from March 24, 2026 through April 7, 2035. This Registration Statement reflects documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10).

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
Department of Environmental Protection
Address: 100 Cambridge Street, Suite 900, Boston MA 02114 | **Phone**: 617-292-5500

Maura T. Healey Governor | **Kim Driscoll** Lieutenant Governor | **Rebecca Tepper** Secretary | **Bonnie Heiple** Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Registrant is hereby authorized to withdraw up to the registered volume of raw water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21414101 River Basin: CONCORD

Registrant: HUDSON REED OWNER LLC
75 Reed St
Hudson, MA 01749

Use: Industry

Average Volume per Day (MGD): 0.11 Total Annual Volume (MGY): 40.82
Days of Operation: 365

Effective Date: March 24, 2026 Expiration Date: April 7, 2035

Number of registered withdrawal points: 1
Groundwater:1 Surface water: 0

Source ID	Type	Source Name
WM3629-01G	G	PRODUCTION WELL D-1

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal
This Registration Statement is effective from March 24, 2026, and expires on April 7, 2035. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days

in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision to transfer may request an adjudicatory hearing on the transfer of this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

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Duane LeVangie
Water Management Program Chief
Bureau of Water Resources

March 24, 2026
Date

Endnotes

[1] The expiration date for Water Management Registration Statements in effect from 4/8/2023 through 4/7/2033 was extended by 2 years by Section 280 of Chapter 238 of the Acts of 2024.

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

HUDSON WATER DEPARTMENT
1 MUNICIPAL DRIVE
HUDSON, MA 01749

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21414102*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/HUDSON-# 21414102-HUDSON WATER DEPARTMENT- WMA-Registration -2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

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The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21414102 River Basin: CONCORD

Registrant: HUDSON WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 2.00 Total Annual Volume (MGY): 730.00
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 5
Groundwater: 4 Surface water: 1

Source ID	Type	Source Name
2141000-01G	G	RIMKUS WELL - EMERGENCY
2141000-01S	S	GATES POND
2141000-02G	G	CRANBERRY WELL
2141000-03G	G	KANE WELL
2141000-07G	G	CHESTNUT WELL 1A

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

LANCASTER WATER DEPARTMENT
392 MILL STREET EXTENSION
LANCASTER, MA 01523

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21114701*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/LANCASTER-# 21114701-LANCASTER WATER DEPARTMENT- WMA-Registration -2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21114701 River Basin: NASHUA

Registrant: LANCASTER WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.53 Total Annual Volume (MGY): 192.17
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 2 Surface water: 0

Source ID	Type	Source Name
2147000-01G	G	WELL #1
2147000-02G	G	WELL #2

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

CHERRY VALLEY & ROCHDALE WATER DIS
P O BOX 138
ROCHDALE, MA 01542

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21015101*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ROCHDALE-# 21015101-CHERRY VALLEY & ROCHDALE WATER DIS- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
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Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21015101 River Basin: FRENCH

Registrant: CHERRY VALLEY & ROCHDALE WATER DIS

Use: Public Water Supply

Average Volume per Day (MGD): 0.27 Total Annual Volume (MGY): 98.48
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
2151001-01S	S	HENSHAW POND

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

LEICESTER WATER SUPPLY DISTRICT
P O BOX 86
LEICESTER, MA 01524

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21215101*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/LEICESTER-# 21215101-LEICESTER WATER SUPPLY DISTRICT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21215101 River Basin: BLACKSTONE

Registrant: LEICESTER WATER SUPPLY DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.19 Total Annual Volume (MGY): 69.35
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 4
Groundwater: 4 Surface water: 0

Source ID	Type	Source Name
2151000-01G	G	ROCK WELL #1
2151000-02G	G	ROCK WELL #2
2151000-03G	G	ROCK WELL #3
2151000-04G	G	JIM DANDY DUG WELL

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

GOVE FARM
34 WHITE POND ROAD
LEOMINSTER, MA 01453

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***21115303*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/LEOMINSTER -# 21115303 - GOVE FARM- WMA-Registration -2023-/04-/06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21115303 River Basin: NASHUA

Registrant: GOVE FARM

Use: Agriculture

Average Volume per Day (MGD): 0.04 Total Annual Volume (MGY): 7.90
Days of Operation: 184

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
WM4507-01S	S	FARM POND

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

LEOMINSTER DPW WATER DIVISION
109 GRAHAM STREET
LEOMINSTER, MA 01453

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21115302*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/LEOMINSTER-# 21115302-LEOMINSTER DPW WATER DIVISION- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21115302 River Basin: NASHUA

Registrant: LEOMINSTER DPW WATER DIVISION

Use: Public Water Supply

Average Volume per Day (MGD): 4.94 Total Annual Volume (MGY): 1804.62
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 7
Groundwater: 3 Surface water: 4

Source ID	Type	Source Name
2153000-01S	S	FALL BROOK RESERVOIR
2153000-02S	S	SIMONDS POND
2153000-03G	G	SE WELL #110, SE CORNER
2153000-03S	S	DISTRIBUTING RESERVOIR
2153000-04G	G	SE WELL #120, SE CORNER
2153000-04S	S	WACHUSETT RESERVOIR
2153000-05G	G	SE WELL #160, SE CORNER

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

PATRIOT BEVERAGES LLC
C/O CPF INC.
25 COPELAND DR
AYER, MA 01432

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21315801*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/LITTLETON-# 21315801-PATRIOT BEVERAGES LLC- WMA-Registration -2023/04/06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Rebecca L. Tepper
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Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21315801 River Basin: MERRIMACK

Registrant: PATRIOT BEVERAGES LLC

Use: Industry

Average Volume per Day (MGD): 0.22 Total Annual Volume (MGY): 80.30
Days of Operation: 365

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 1 Surface water: 0

Source ID	Type	Source Name
WM4413-01G	G	PROCESS WELL #1

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

February 24, 2026

Amrize Northeast Inc.
35 Village Road
Suite 703
Middleton, MA 01949

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The REVISED Water Management Act Registrant Statement # ***21315802*** for 2026-2035.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/LITTLETON-# 21315802-AMRIZE NORTHEAST INC.- WMA-Registration-2026/02/24_Revised

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2026-2035[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from February 24, 2026 through April 7, 2035. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1]The expiration date for Water Management Registration Statements in effect from 4/8/2023 through 4/7/2033 was extended by 2 years by Section 280 of Chapter 238 of the Acts of 2024.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21315802 River Basin: MERRIMACK

Registrant: AMRIZE NORTHEAST INC.
149 Ayer Road
Littleton, MA

Use: Industry

Average Volume per Day (MGD): 1.58 Total Annual Volume (MGY): 577.00
Days of Operation: 365

Effective Date: February 24, 2026 Expiration Date: April 7, 2035

Number of registered withdrawal points: 7
Groundwater: 5 Surface water: 2

Source ID	Type	Source Name
WM4414-01G	G	WELL 3
WM4414-02G	G	WELL 4
WM4414-03G	G	WELL 5
WM4414-04G	G	WELL 6
WM4414-05G	G	WELL 7
WM4414-06S	S	QUARRY POND
WM4414-07S	S	RECIRCULATING POND

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from February 24, 2026, and expires on April 7, 2035. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
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Kathleen M Baskin

February 24, 2026

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

LITTLETON WATER DEPARTMENT
P O BOX 2406
WHITCOMB AVENUE
LITTLETON, MA 01460

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21315803*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/LITTLETON-# 21315803-LITTLETON WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Maura T. Healey
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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21315803 River Basin: MERRIMACK

Registrant: LITTLETON WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.83 Total Annual Volume (MGY): 304.58
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 6
Groundwater: 6 Surface water: 0

Source ID	Type	Source Name
2158000-02G	G	WHITCOMB GPW #1
2158000-04G	G	SPECTACLE POND WELL
2158000-05G	G	WELL 2-1
2158000-06G	G	WELL 2-2
2158000-07G	G	WELL 2-3
2158000-08G	G	WHITCOMB WELLFIELD #3

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

December 8, 2023

PJKEATING COMPANY
998 RESERVOIR ROAD
LUNENBURG, MA 01462

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The REVISED Water Management Act Registrant Statement # ***21109703*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ LUNENBURG-# 21109703-PJKEATING COMPANY- WMA-Registration -2023/12/08 Revised

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21109703 River Basin: NASHUA

Registrant: PJKEATING COMPANY

Use: Industry

Average Volume per Day (MGD): 1.52 Total Annual Volume (MGY): 553.59
Days of Operation: 365

Effective Date: April 8, 2023 Expiration Date: April 7, 2033
Revised: December 8, 2023

Number of registered withdrawal points: 5
Groundwater: 4 Surface water: 1

Source ID	Type	Source Name
WM4499-01G	G	WELL #1
WM4499-01S	S	C-1
WM4499-02G	G	WELL #2
WM4499-03G	G	WELL #3
WM4499-04G	G	WELL #2 Replacement

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

December 8, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

LUNENBURG WATER DISTRICT
P O BOX 375
LUNENBURG, MA 01462

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21116201*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/LUNENBURG-# 21116201-LUNENBURG WATER DISTRICT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

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Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Rebecca L. Tepper
Secretary

Bonnie Heiple
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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21116201 River Basin: NASHUA

Registrant: LUNENBURG WATER DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.29 Total Annual Volume (MGY): 107.60
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 4
Groundwater: 4 Surface water: 0

Source ID	Type	Source Name
2162000-01G	G	WELL #1
2162000-02G	G	WELL #2
2162000-03G	G	WELL #3
2162000-04G	G	WELL #4

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

MARLBOROUGH DPW WATER DIVISION
135 NEIL STREET
MARLBOROUGH, MA 01752

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21417001*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/MARLBOROUGH-# 21417001-MARLBOROUGH DPW WATER DIVISION- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Rebecca L. Tepper
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Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21417001 River Basin: CONCORD

Registrant: MARLBOROUGH DPW WATER DIVISION

Use: Public Water Supply

Average Volume per Day (MGD): 0.58 Total Annual Volume (MGY): 211.70
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 0 Surface water: 2

Source ID	Type	Source Name
2170000-01S	S	MILLHAM RESERVOIR
2170000-02S	S	LAKE WILLIAMS

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

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Commonwealth of Massachusetts Lock Box
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The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

MAYNARD DEPARTMENT OF PUBLIC WORKS
TOWN BUILDING
195 MAIN STREET
MAYNARD, MA 01754

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21417401*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/MAYNARD-# 21417401-MAYNARD DEPARTMENT OF PUBLIC WORKS- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21417401 River Basin: CONCORD

Registrant: MAYNARD DEPARTMENT OF PUBLIC WORKS

Use: Public Water Supply

Average Volume per Day (MGD): 1.09 Total Annual Volume (MGY): 397.85
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 5
Groundwater: 4 Surface water: 1

Source ID	Type	Source Name
2174000-01G	G	OLD MARLBORO RD WELL #1
2174000-01S	S	WHITE POND
2174000-02G	G	OLD MARLBORO RD WELL #1A
2174000-03G	G	OLD MARLBORO RD WELL #3
2174000-04G	G	GREAT ROAD WELL #4

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Secretary

Bonnie Heiple
Commissioner

April 6, 2023

MEDFIELD WATER DEPARTMENT
TOWN HALL
459 MAIN STREET
MEDFIELD, MA 02052

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21917501*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/MEDFIELD-# 21917501-MEDFIELD WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21917501 River Basin: BOSTON HARBOR

Registrant: MEDFIELD WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.92 Total Annual Volume (MGY): 335.80
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 2 Surface water: 0

Source ID	Type	Source Name
2175000-03G	G	WELL #3
2175000-04G	G	WELL #4

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
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Secretary

Bonnie Heiple
Commissioner

April 6, 2023

MEDFIELD WATER DEPARTMENT
TOWN HALL
459 MAIN STREET
MEDFIELD, MA 02052

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***22017501*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/MEDFIELD-# 22017501-MEDFIELD WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 22017501 River Basin: CHARLES

Registrant: MEDFIELD WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.11 Total Annual Volume (MGY): 40.15
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 2 Surface water: 0

Source ID	Type	Source Name
2175000-01G	G	WELL 1
2175000-02G	G	WELL 2

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TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

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April 6, 2023

MEDWAY WATER DEPARTMENT
155 VILLAGE STREET
MEDWAY, MA 02053

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***22017701*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

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The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

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[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

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b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 22017701 River Basin: CHARLES

Registrant: MEDWAY WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.72 Total Annual Volume (MGY): 262.80
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 5
Groundwater: 5 Surface water: 0

Source ID	Type	Source Name
2177000-01G	G	POPULATIC STREET
2177000-02G	G	OAKLAND STREET WELL
2177000-03G	G	VILLAGE STREET WELL
2177000-05G	G	VILLAGE ST REP WELL
2177000-06G	G	POPULATIC STREE WELL 1S

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MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
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Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

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    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
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The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

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Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

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The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

MILFORD WATER COMPANY
66 DILLA STREET
MILFORD, MA 01757-1104

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***22018501*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/MILFORD-# 22018501-MILFORD WATER COMPANY- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 22018501 River Basin: CHARLES

Registrant: MILFORD WATER COMPANY

Use: Public Water Supply

Average Volume per Day (MGD): 2.88 Total Annual Volume (MGY): 1051.20
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 10
Groundwater: 8 Surface water: 2

Source ID	Type	Source Name
2185000-01S	S	CHARLES RIVER
2185000-02G	G	CLARK ISLAND WELL FIELD
2185000-02S	S	ECHO LAKE
2185000-03G	G	GODFREY WELL #1
2185000-04G	G	GODFREY WELL #2
2185000-05G	G	GODFREY WELL #4
2185000-07G	G	DILLA ST GP WELL #1
2185000-08G	G	DILLA ST GP WELL #2
2185000-09G	G	GODFREY WELL #2A
2185000-10G	G	GODFREY WELL #1A

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

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April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

AQUARION WATER COMPANY: MILLBURY
24 PROVIDENCE STREET
MILLBURY, MA 01527

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21218602*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/MILLBURY-# 21218602-AQUARION WATER COMPANY: MILLBURY- WMA-Registration -2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21218602 River Basin: BLACKSTONE

Registrant: AQUARION WATER COMPANY: MILLBURY

Use: Public Water Supply

Average Volume per Day (MGD): 1.03 Total Annual Volume (MGY): 375.95
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 4
Groundwater: 4 Surface water: 0

Source ID	Type	Source Name
2186000-01G	G	MILLBURY WELL
2186000-02G	G	OAK POND WELL
2186000-03G	G	JACQUES WELL #1
2186000-04G	G	JACQUES WELL #2

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

TRESCA BROTHERS SAND & GRAVEL INC
66 MAIN STREET
MILLIS, MA 02054

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***22018701*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/MILLIS-# 22018701-TRESCA BROTHERS SAND & GRAVEL INC- WMA-Registration -2023/04/06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 22018701 River Basin: CHARLES

Registrant: TRESCA BROTHERS SAND & GRAVEL INC

Use: Industry

Average Volume per Day (MGD): 0.08 Total Annual Volume (MGY): 29.20
Days of Operation: 365

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
WM4554-01S	S	POND

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Maura T. Healey
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Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

MILLIS WATER DEPARTMENT
900 MAIN STREET
MILLIS, MA 02054

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***22018702*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/MILLIS-# 22018702-MILLIS WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Kimberley Driscoll
Lieutenant Governor

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Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 22018702 River Basin: CHARLES

Registrant: MILLIS WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.63 Total Annual Volume (MGY): 229.95
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 2 Surface water: 0

Source ID	Type	Source Name
2187000-03G	G	WELL #3
2187000-04G	G	WELL #4 (S END PND)

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

NORFOLK WATER DEPARTMENT
33 MEDWAY BRANCH
NORFOLK, MA 02056

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***22020802*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/NORFOLK-# 22020802-NORFOLK WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 22020802 River Basin: CHARLES

Registrant: NORFOLK WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.17 Total Annual Volume (MGY): 62.05
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 1 Surface water: 0

Source ID	Type	Source Name
2208000-01G	G	GOLD STREET WELL 1

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

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Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
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April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

MCI NORFOLK
50 MAPLE STREET
MILFORD, MA 01757

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***22020804*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/NORFOLK-# 22020804-MCI NORFOLK- WMA-Registration -2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 22020804

River Basin: CHARLES

Registrant: MCI NORFOLK

Use: Public Water Supply

Average Volume per Day (MGD): 0.49

Total Annual Volume (MGY): 178.85

Days of Operation: 365 days

Effective Date: April 8, 2023

Expiration Date: April 7, 2033

Number of registered withdrawal points: 3

Groundwater: 3

Surface water: 0

Source ID	Type	Source Name
2208001-01G	G	DUG WELL STATION #1
2208001-03G	G	GP WELL STATION #4
2208001-05G	G	WELL 4A

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

NORTH BROOKFIELD WATER DEPARTMENT
14 BELL ROAD
NORTH BROOKFIELD, MA 01535

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***20821201*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/NORTH BROOKFIELD-# 20821201-NORTH BROOKFIELD WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 20821201 River Basin: CHICOPEE

Registrant: NORTH BROOKFIELD WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.43 Total Annual Volume (MGY): 158.62
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
2212000-02S	S	NORTH POND

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

BIGELOW NURSERIES INC
PO BOX 718
455 WEST MAIN STREET
NORTHBOROUGH, MA 01532-0718

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***21421502*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/NORTHBOROUGH -# 21421502 - BIGELOW NURSERIES INC- WMA-Registration -2023-/04-/06

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Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

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Department of Environmental Protection
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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21421502 River Basin: CONCORD

Registrant: BIGELOW NURSERIES INC

Use: Agriculture

Average Volume per Day (MGD): 0.15 Total Annual Volume (MGY): 32.25
Days of Operation: 215

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 3
Groundwater: 2 Surface water: 1

Source ID	Type	Source Name
WM4345-01G	G	WELL #1 (GEN N)
WM4345-01S	S	RESERVIOR W/D
WM4345-04G	G	WELL #2 (HOUSE WELL)

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

BERBERIAN FARMS
68 OTIS STREET
NORTHBOROUGH, MA 01532

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***21421504*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/NORTHBOROUGH -# 21421504 - BERBERIAN FARMS- WMA-Registration -2023-/04-/06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21421504 River Basin: CONCORD

Registrant: BERBERIAN FARMS

Use: Agriculture

Average Volume per Day (MGD): 0.12 Total Annual Volume (MGY): 10.78
Days of Operation: 92

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
WM4347-01S	S	SMITH POND

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

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The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Kimberley Driscoll
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

NORTHBOROUGH WATER & SEWER DEPT
63 MAIN STREET
NORTHBOROUGH, MA 01532

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21421503*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/NORTHBOROUGH-# 21421503-NORTHBOROUGH WATER & SEWER DEPT- WMA-Registration - 2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21421503 River Basin: CONCORD

Registrant: NORTHBOROUGH WATER & SEWER DEPT

Use: Public Water Supply

Average Volume per Day (MGD): 0.74 Total Annual Volume (MGY): 270.10
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 4
Groundwater: 4 Surface water: 0

Source ID	Type	Source Name
2215000-01G	G	BRIGHAM STREET WELL
2215000-02G	G	LYMAN STREET WELL
2215000-03G	G	CRAWFORD STREET WELL
2215000-07G	G	LYMAN STREET REP WELL

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

WHITINSVILLE WATER COMPANY
P.O. BOX 188
WHITINSVILLE, MA 01588

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21221601*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/WHITINSVILLE-# 21221601-WHITINSVILLE WATER COMPANY- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

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Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21221601 River Basin: BLACKSTONE

Registrant: WHITINSVILLE WATER COMPANY

Use: Public Water Supply

Average Volume per Day (MGD): 1.09 Total Annual Volume (MGY): 397.85
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 2 Surface water: 0

Source ID	Type	Source Name
2216000-01G	G	MEADOW POND TWF
2216000-02G	G	COOK ALLEN WELLFIELD

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
Department of Environmental Protection
Address: 100 Cambridge Street, Suite 900, Boston MA 02114 | **Phone**: 617-292-5500

Maura T. Healey Governor | **Kim Driscoll** Lieutenant Governor | **Rebecca Tepper** Secretary | **Bonnie Heiple** Commissioner

December 3, 2025

RE North Rock LLC
Attn: Joshua McKim
91 Clubhouse Lane
Northbridge, MA 01534

RE: Northbridge-WMA BRP WM01
Northbridge Mills LLC
Registration #21221602
25-WM01-0022-APP

Dear Mr. McKim

The Massachusetts Department of Environmental Protection (MassDEP) received a registration transfer application (BRP WM01) on November 21, 2025, to transfer two sources registered (21221602) with the Water Management Act (WMA) from Northbridge Mills LLC to RE North Rock LLC. According to the transfer application form, there will be no change in the use of the authorized water withdrawal volumes or withdrawal points, in the discharge point of the water after use, or in the number of days per year that the water will be withdrawn.

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2025-2035; and
- The Water Management Act Registrant Statement # ***21221602*** for 2025-2035.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Shi Chen at shi.chen@mass.gov or (857) 360-0042.

Sincerely,



Kathleen Baskin Assistant Commissioner
Bureau of Water Resources

Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWPWMA/Registration Files + Renewal 2023/2023 Registration Statement/NORTHBRIDGE-# 21221602-RE North Rock LLC- WMA Transfer-2025-12-3

Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
Department of Environmental Protection
Address: 100 Cambridge Street, Suite 900, Boston MA 02114 | **Phone**: 617-292-5500

Maura T. Healey, Governor
Kim Driscoll, Lieutenant Governor
Rebecca Tepper, Secretary
Bonnie Heiple, Commissioner

Massachusetts Water Management Act Registration Statement For Water Withdrawals Summary of Content and Conditions for 2025-2035[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from December 03, 2025 through April 7, 2035. This Registration Statement reflects documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10).

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

---

[1] The expiration date for Water Management Registration Statements in effect from 4/8/2023 through 4/7/2035 was extended by 2 years by Section 280 of Chapter 238 of the Acts of 2024.

Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
Department of Environmental Protection
Address: 100 Cambridge Street, Suite 900, Boston MA 02114 | **Phone**: 617-292-5500

Maura T. Healey Governor | **Kim Driscoll** Lieutenant Governor | **Rebecca Tepper** Secretary | **Bonnie Heiple** Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21221602 River Basin: BLACKSTONE

Registrant: RE North Rock LLC

Use: Industry

Average Volume per Day (MGD): 0.32 Total Annual Volume (MGY): 115.00

Days of Operation: 365

Effective Date: December 3, 2025 Expiration Date: April 7, 2035

Number of registered withdrawal points: 2

Groundwater: 2 Surface water: 0

Source ID	Type	Source Name
WM3858-01G	G	PUMPHOUSE 1
WM3858-02G	G	PUMPHOUSE 2

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s). The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

---

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

5. Registration Renewal

This Registration Statement is effective from December 3, 2025, and expires on April 7, 2035. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision to transfer may request an adjudicatory hearing on the transfer of this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



December 3, 2025

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

WHITINSVILLE GOLF CLUB
179 FLETCHER STREET
WHITINSVILLE, MA 01588

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***21221603*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ WHITINSVILLE-#21221603 - WHITINSVILLE GOLF CLUB-WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
For Golf Course Water Use
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, you shall comply with the following restrictions on nonessential outdoor water use when such restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c)2. are summarized as follows:

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.

b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of raw water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21221603 River Basin: BLACKSTONE

Registrant: WHITINSVILLE GOLF CLUB

Use: Golf

Average Volume per Day (MGD): 0.05 Total Annual Volume (MGY): 8.54
Days of Operation: 180

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
WM3651-01S	S	MUMFORD RIVER

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MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times Of Drought:
The Registrant shall implement limits on nonessential outdoor water use when the Secretary of Energy and Environmental Affairs declares a Level-1 Mild Drought or higher for the Drought Region where the Registrant's withdrawals are located, in accordance with 310 CMR 36.07(2)(c).

For withdrawals for the maintenance of golf course greens, tees, fairways, and roughs during a drought declaration by the Secretary for the drought region, county or watershed where the Registrant's withdrawals are located, the Registrant shall comply with the following restrictions on nonessential outdoor water use:

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.
b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

In accordance with 310 CMR 36.07(2)(c), once implemented, restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

If a portion of the Registrant's withdrawal is for non-golf course irrigation purposes and is used to meet the core function of its business as a venue for weddings or similar special events, the Registrant may water by means of a hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants. Such watering is excluded from the definition of Nonessential Outdoor Water Use in 310 CMR 36.03.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

Registrants shall notify the Department in writing within 14 days of the effective date whenever required Nonessential Water Use Restrictions are implemented or revised in accordance with the Secretary's drought declaration for the drought region, county, or watershed where the withdrawals are located.

The Notification of Water Use Restriction form is found at https://www.mass.gov/info-details/outdoor-water-use-restrictions-for-cities-towns-and-golf-courses.

Note: Registrants shall comply with Condition 3 provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use,** then the conditions in the permit shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on nonessential outdoor water use** must comply with Condition 3.

4. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

5. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

6. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

7. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

AQUARION WATER COMPANY: OXFORD
24 PROVIDENCE STREET
MILLBURY, MA 01527

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21022601*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/OXFORD-# 21022601-AQUARION WATER COMPANY: OXFORD- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21022601 River Basin: FRENCH

Registrant: AQUARION WATER COMPANY: OXFORD

Use: Public Water Supply

Average Volume per Day (MGD): 0.78 Total Annual Volume (MGY): 285.98
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 4
Groundwater: 4 Surface water: 0

Source ID	Type	Source Name
2226000-01G	G	WELL #1
2226000-02G	G	WELL #2
2226000-03G	G	WELL #3
2226000-04G	G	WELL #4

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

PAXTON WATER DEPARTMENT
107 HOLDEN ROAD
PAXTON, MA 01612

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21122802*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/PAXTON-# 21122802-PAXTON WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21122802 River Basin: NASHUA

Registrant: PAXTON WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.27 Total Annual Volume (MGY): 98.10
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
2228000-01S	S	ASNEBUMSKIT RESERVOIR

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

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April 6, 2023

PEPPERELL WATER DEPARTMENT
15 CANAL STREET
P O BOX 175
PEPPERELL, MA 01463

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21123202*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/PEPPERELL-# 21123202-PEPPERELL WATER DEPARTMENT- WMA-Registration -2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21123202 River Basin: NASHUA

Registrant: PEPPERELL WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.74 Total Annual Volume (MGY): 268.59
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 3
Groundwater: 3 Surface water: 0

Source ID	Type	Source Name
2232000-01G	G	BEMIS ROAD WELL #1
2232000-02G	G	JERSEY STREET WELL #1
2232000-04G	G	BEMIS ROAD WELL #2

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

WACHUSETT MOUNTAIN ASSOCIATES
499 MOUNTAIN ROAD
PRINCETON, MA 01541

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21124101*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/PRINCETON-# 21124101-WACHUSETT MOUNTAIN ASSOCIATES- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21124101 River Basin: NASHUA

Registrant: WACHUSETT MOUNTAIN ASSOCIATES

Use: Snow-making

Average Volume per Day (MGD): 0.34 Total Annual Volume (MGY): 52.43
Days of Operation: 153

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 5
Groundwater: 3 Surface water: 2

Source ID	Type	Source Name
WM4520-01G	G	WELL #1
WM4520-02G	G	WELL #2
WM4520-03G	G	WELL #3
WM4520-04S	S	SNOW POND #1
WM4520-05S	S	POND #2

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

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The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

RUTLAND WATER DEPARTMENT
17 POMMOGUSSETT ROAD
RUTLAND, MA 01543-1412

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21125701*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/RUTLAND-# 21125701-RUTLAND WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
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Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21125701 River Basin: NASHUA

Registrant: RUTLAND WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.26 Total Annual Volume (MGY): 94.83
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
2257000-01S	S	MUSCHOPAUGE RESERVOIR

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
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In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

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P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

SHREWSBURY WATER & SEWER DEPARTMENT
100 MAPLE AVENUE
SHREWSBURY, MA 01545-5398

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21227101*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/SHREWSBURY-# 21227101-SHREWSBURY WATER & SEWER DEPARTMENT- WMA-Registration - 2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21227101 River Basin: BLACKSTONE

Registrant: SHREWSBURY WATER & SEWER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 2.64 Total Annual Volume (MGY): 963.74
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 6
Groundwater: 6 Surface water: 0

Source ID	Type	Source Name
2271000-02G	G	SEWELL STREET #4
2271000-05G	G	LAMBERT'S #3.2
2271000-07G	G	HOME FARM #6.1
2271000-09G	G	HOME FARM #6.3
2271000-10G	G	HOME FARM #6.4
2271000-11G	G	LAMBERTS WELL 3.3

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

SOUTHBRIDGE WATER DEPARTMENT
41 ELM STREET
SOUTHBRIDGE, MA 01550-2537

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***20927801*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/SOUTHBRIDGE-# 20927801-SOUTHBRIDGE WATER DEPARTMENT- WMA-Registration -2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 20927801 River Basin: QUINEBAUG

Registrant: SOUTHBRIDGE WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 2.01 Total Annual Volume (MGY): 735.10
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 4
Groundwater: 0 Surface water: 4

Source ID	Type	Source Name
2278000-01S	S	HATCHET BROOK RES 3
2278000-02S	S	HATCHET BROOK RES 4
2278000-03S	S	HATCHET BROOK RES 5
2278000-04S	S	COHASSE BROOK RESERVOIR

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

SPENCER WATER DEPARTMENT
3 OLD MEADOW ROAD
SPENCER, MA 01562-2065

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***20828001*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/SPENCER-# 20828001-SPENCER WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 20828001 River Basin: CHICOPEE

Registrant: SPENCER WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.48 Total Annual Volume (MGY): 175.20
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 1 Surface water: 1

Source ID	Type	Source Name
2280000-01G	G	CRANBERRY BROOK WELL
2280000-01S	S	SHAW POND

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

BOND CONSTRUCTION CORPORATION
ROUTE 31 NORTH
SPENCER, MA 01562

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***20828002*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/SPENCER-# 20828002-BOND CONSTRUCTION CORPORATION- WMA-Registration -2023/04/06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Commissioner

Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 20828002 River Basin: CHICOPEE

Registrant: BOND CONSTRUCTION CORPORATION

Use: Industry

Average Volume per Day (MGD): 0.27 Total Annual Volume (MGY): 67.00
Days of Operation: 245

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
WM3819-01S	S	SEVENMILE RIVER

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

STERLING DEPARTMENT OF PUBLIC WORKS
171 WORCESTER ROAD
P O BOX 537
STERLING, MA 01564

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21128202*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/STERLING-# 21128202-STERLING DEPARTMENT OF PUBLIC WORKS- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Maura T. Healey
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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21128202 River Basin: NASHUA

Registrant: STERLING DEPARTMENT OF PUBLIC WORKS

Use: Public Water Supply

Average Volume per Day (MGD): 0.40 Total Annual Volume (MGY): 144.58
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 4
Groundwater: 4 Surface water: 0

Source ID	Type	Source Name
2282000-03G	G	WELL #3
2282000-06G	G	WORCESTER ROAD WELL 2A
2282000-07G	G	WORCESTER ROAD WELL 2B
2282000-08G	G	WORCESTER ROAD WELL 2C

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
Department of Environmental Protection
Address: 100 Cambridge Street, Suite 900, Boston MA 02114 | **Phone**: 617-292-5500

Maura T. Healey, Governor
Kim Driscoll, Lieutenant Governor
Rebecca Tepper, Secretary
Bonnie Heiple, Commissioner

December 2, 2025

Stow Acres Equities LLC
Attn: Shraga Schorr
14 Steuben Lane
Jackson, NJ 08527

RE: Stow-WMA BRP WM 01
Stow Acres Country Club SCC ASSOC
Registration #21428602
25-WM01-0020-APP

Dear Mr. Schorr:

The Massachusetts Department of Environmental Protection (MassDEP) received a BRP WM 01 registration transfer application on November 10, 2025, to transfer the Stow Acres Country Club SCC ASSOC (21428602) to Stow Acres Equities LLC. According to the transfer document (BRP WM 01), there will be no change in the use of the authorized water withdrawal volumes or withdrawal points, or in the number of days per year that the water will be withdrawn.

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2025-2035; and
- The Water Management Act Registrant Statement #***21428602*** for 2025-2035.

If you have any questions regarding the Registration Statement, please contact Linjun Yao at linjun.yao@mass.gov or 781-686-3862.

Sincerely,

Duane LeVangie
Water Management Program Chief
Bureau of Water Resources

Cc: Sara Harris, Stow Acres Equities LLC
mass.gov.sharepoint.com/ DWPArchive\CERO\Stow-WMA Registration 21428602- Registration Transfer-12-02-2025

Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
Department of Environmental Protection
Address: 100 Cambridge Street, Suite 900, Boston MA 02114 | **Phone**: 617-292-5500

Maura T. Healey, Governor
Kim Driscoll, Lieutenant Governor
Rebecca Tepper, Secretary
Bonnie Heiple, Commissioner

Massachusetts Water Management Act Registration Statement
For Golf Course Water Use
Summary of Content and Conditions for 2025-2035[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from December 2, 2025 through April 7, 2035. This Registration Statement reflects documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10).

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, you shall comply with the following restrictions on nonessential outdoor water use when such restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c)2. are summarized as follows:

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.

[1] The expiration date for Water Management Registration Statements in effect from 4/8/2023 through 4/7/2033 was extended by 2 years by Section 280 of Chapter 238 of the Acts of 2024.

b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
Department of Environmental Protection
Address: 100 Cambridge Street, Suite 900, Boston MA 02114 | **Phone**: 617-292-5500

Maura T. Healey Governor
Kim Driscoll Lieutenant Governor
Rebecca Tepper Secretary
Bonnie Heiple Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Registrant is hereby authorized to withdraw up to the registered volume of raw water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21428602 River Basin: CONCORD

Registrant: STOW ACRES EQUITIES LLC

Use: Golf

Average Volume per Day (MGD): 0.14 Total Annual Volume (MGY): 30.86
Days of Operation: 214

Effective Date: December 2, 2025 Expiration Date: April 7, 2035

Number of registered withdrawal points: 5
Groundwater:1 Surface water: 4

Source ID	Type	Source Name
2286009-01G	G	WELL #1
WM4351-01S	S	9TH HOLE POND
WM4351-02S	S	10TH HOLE POND
WM4351-03S	S	WHEELER POND
WM4351-04S	S	13TH HOLE POND/ASSABET R.

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times Of Drought:
The Registrant shall implement limits on nonessential outdoor water use when the Secretary of Energy and Environmental Affairs declares a Level-1 Mild Drought or higher for the Drought Region where the Registrant's withdrawals are located, in accordance with 310 CMR 36.07(2)(c).

For withdrawals for the maintenance of golf course greens, tees, fairways, and roughs during a drought declaration by the Secretary for the drought region, county or watershed where the Registrant's withdrawals are located, the Registrant shall comply with the following restrictions on nonessential outdoor water use:

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.
b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

In accordance with 310 CMR 36.07(2)(c), once implemented, restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

If a portion of the Registrant's withdrawal is for non-golf course irrigation purposes and is used to meet the core function of its business as a venue for weddings or similar special events, the Registrant may water by means of a hand-held hose or drip irrigation as necessary to maintain

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

gardens, flowers and ornamental plants. Such watering is excluded from the definition of Nonessential Outdoor Water Use in 310 CMR 36.03.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

Registrants shall notify the Department in writing within 14 days of the effective date whenever required Nonessential Water Use Restrictions are implemented or revised in accordance with the Secretary's drought declaration for the drought region, county, or watershed where the withdrawals are located.

The Notification of Water Use Restriction form is found at https://www.mass.gov/info-details/outdoor-water-use-restrictions-for-cities-towns-and-golf-courses.

Note: Registrants shall comply with Condition 3 provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use,** then the conditions in the permit shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on nonessential outdoor water use** must comply with Condition 3.

4. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

5. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

6. Registration Renewal

This Registration Statement is effective from December 2, 2025, through the expiration date of April 7, 2035. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

7. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision to transfer may request an adjudicatory hearing on the transfer of this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Duane LeVangie

December 2, 2025

Duane LeVangie
Water Management Program Chief
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

STURBRIDGE WATER DEPARTMENT
PO BOX 182
STURBRIDGE, MA 01566-0975

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***20928701*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/STURBRIDGE-# 20928701-STURBRIDGE WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Governor

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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 20928701 River Basin: QUINEBAUG

Registrant: STURBRIDGE WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.69 Total Annual Volume (MGY): 252.29
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 4
Groundwater: 4 Surface water: 0

Source ID	Type	Source Name
2287000-01G	G	WELL #1
2287000-02G	G	WELL #2
2287000-03G	G	WELL #3
2287000-05G	G	WELL #5

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

PLEASANT VALLEY COUNTRY CLUB
95 ARMSBY ROAD
SUTTON, MA 01590

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***21229002*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ SUTTON-#21229002 - PLEASANT VALLEY COUNTRY CLUB-WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
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Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
For Golf Course Water Use
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, you shall comply with the following restrictions on nonessential outdoor water use when such restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c)2. are summarized as follows:

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.

b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Secretary

Bonnie Heiple
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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of raw water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21229002 River Basin: BLACKSTONE

Registrant: PLEASANT VALLEY COUNTRY CLUB

Use: Golf

Average Volume per Day (MGD): 0.16 Total Annual Volume (MGY): 19.04
Days of Operation: 119

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
WM4533-01S	S	POND ON COLD SPRING BROOK

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times Of Drought:
The Registrant shall implement limits on nonessential outdoor water use when the Secretary of Energy and Environmental Affairs declares a Level-1 Mild Drought or higher for the Drought Region where the Registrant's withdrawals are located, in accordance with 310 CMR 36.07(2)(c).

For withdrawals for the maintenance of golf course greens, tees, fairways, and roughs during a drought declaration by the Secretary for the drought region, county or watershed where the Registrant's withdrawals are located, the Registrant shall comply with the following restrictions on nonessential outdoor water use:

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.
b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

In accordance with 310 CMR 36.07(2)(c), once implemented, restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

If a portion of the Registrant's withdrawal is for non-golf course irrigation purposes and is used to meet the core function of its business as a venue for weddings or similar special events, the Registrant may water by means of a hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants. Such watering is excluded from the definition of Nonessential Outdoor Water Use in 310 CMR 36.03.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

Registrants shall notify the Department in writing within 14 days of the effective date whenever required Nonessential Water Use Restrictions are implemented or revised in accordance with the Secretary's drought declaration for the drought region, county, or watershed where the withdrawals are located.

The Notification of Water Use Restriction form is found at https://www.mass.gov/info-details/outdoor-water-use-restrictions-for-cities-towns-and-golf-courses.

Note: Registrants shall comply with Condition 3 provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use,** then the conditions in the permit shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on nonessential outdoor water use** must comply with Condition 3.

4. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

5. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

6. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

7. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

TEMPLETON WATER DEPARTMENT
P. O. BOX 20
86 BRIDGE STREET
BALDWINVILLE, MA 01436

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***20729401*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/BALDWINVILLE-# 20729401-TEMPLETON WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Lieutenant Governor

Rebecca L. Tepper
Secretary

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Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 20729401 River Basin: MILLERS

Registrant: TEMPLETON WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.53 Total Annual Volume (MGY): 195.03
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 4
Groundwater: 4 Surface water: 0

Source ID	Type	Source Name
2294000-01G	G	OTTER RIVER WELL
2294000-04G	G	MAPLE STREET WELL #1
2294000-05G	G	MAPLE STREET WELL #2
2294000-06G	G	SAWYER STREET WELL

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

SEAMAN PAPER CO OF MASS INC
P O BOX 21
BALDWINVILLE, MA 01436

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***20729402*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/BALDWINVILLE-# 20729402-SEAMAN PAPER CO OF MASS INC- WMA-Registration -2023/04/06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
For Water Withdrawals
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, as applicable.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions,* and all other applicable state and federal laws.

Many Registrants also hold Water Management Act permits. If the Registrant holds a Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Maura T. Healey
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 20729402 River Basin: MILLERS

Registrant: SEAMAN PAPER CO OF MASS INC

Use: Industry

Average Volume per Day (MGD): 1.19 Total Annual Volume (MGY): 436.00
Days of Operation: 365

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 1 Surface water: 1

Source ID	Type	Source Name
WM3811-01G	G	OTTER RIVER WELL
WM3811-01S	S	OTTER RIVER

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:

The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:

The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Annual Reporting

The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

4. Effect On Any Pending And Future Actions

The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

5. Registration Renewal

This Registration Statement is effective from April 8, 2023, and expires on April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

6. Registration Transfer

The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

A copy of this Registration Statement shall be included with a Notice of Claim. The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

TOWNSEND WATER DEPARTMENT
540 MAIN STREET
WEST TOWNSEND, MA 01474

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21129902*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/WEST TOWNSEND-# 21129902-TOWNSEND WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21129902 River Basin: NASHUA

Registrant: TOWNSEND WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.76 Total Annual Volume (MGY): 277.40
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 4
Groundwater: 4 Surface water: 0

Source ID	Type	Source Name
2299000-01G	G	MAIN STREET STATION #1
2299000-02G	G	CROSS STREET STATION #2
2299000-04G	G	WITCHES BROOK WELL #1
2299000-05G	G	WITCHES BROOK WELL #2

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

UXBRIDGE WATER DEPARTMENT
105 BLACKSTONE ST
UXBRIDGE, MA 01569

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21230401*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/UXBRIDGE-# 21230401-UXBRIDGE WATER DEPARTMENT- WMA-Registration -2023-04-06

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Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21230401 River Basin: BLACKSTONE

Registrant: UXBRIDGE WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.66 Total Annual Volume (MGY): 240.90
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 5
Groundwater: 5 Surface water: 0

Source ID	Type	Source Name
2304000-01G	G	WELL #1
2304000-02G	G	WELL #2
2304000-03G	G	WELL #3
2304000-05G	G	BERNAT WELL #5
2304000-06G	G	BERNAT WELL #6

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

WEBSTER DPW
23 CUDWORTH ROAD
WEBSTER, MA 01570

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21031603*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/WEBSTER-# 21031603-WEBSTER DPW- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21031603

River Basin: FRENCH

Registrant: WEBSTER DPW

Use: Public Water Supply

Average Volume per Day (MGD): 1.34

Total Annual Volume (MGY): 489.94

Days of Operation: 365 days

Effective Date: April 8, 2023

Expiration Date: April 7, 2033

Number of registered withdrawal points: 7

Groundwater: 7

Surface water: 0

Source ID	Type	Source Name
2316000-01G	G	MEMORIAL BEACH GP WELL
2316000-03G	G	BIGELOW ROAD GP WELL
2316000-04G	G	WELL 1 MEMORIAL BEACH
2316000-05G	G	WELL 2 MEMORIAL BEACH
2316000-06G	G	WELL 3 MEMORIAL BEACH
2316000-07G	G	WELL 4 MEMORIAL BEACH
2316000-08G	G	WELL 5 MEMORIAL BEACH

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

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April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

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Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

WEST BOYLSTON WATER DISTRICT
183 WORCESTER STREET
WEST BOYLSTON, MA 01583

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21132101*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/WEST BOYLSTON-# 21132101-WEST BOYLSTON WATER DISTRICT- WMA-Registration -2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

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Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21132101 River Basin: NASHUA

Registrant: WEST BOYLSTON WATER DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.56 Total Annual Volume (MGY): 204.26
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 3
Groundwater: 3 Surface water: 0

Source ID	Type	Source Name
2321000-01G	G	OAKDALE WELL
2321000-04G	G	LEE STREET #4 WELL
2321000-05G	G	PLEASANT VALLEY WELL

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

WACHUSETT COUNTRY CLUB
187 PROSPECT STREET
WEST BOYLSTON, MA 01583

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***21132102*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ WEST BOYLSTON-#21132102 - WACHUSETT COUNTRY CLUB-WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
For Golf Course Water Use
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, you shall comply with the following restrictions on nonessential outdoor water use when such restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c)2. are summarized as follows:

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.

b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of raw water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21132102 River Basin: NASHUA

Registrant: WACHUSETT COUNTRY CLUB

Use: Golf

Average Volume per Day (MGD): 0.12 Total Annual Volume (MGY): 17.60
Days of Operation: 153

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
WM4531-01S	S	MALDEN BROOK IMPOUNDMENT

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times Of Drought:
The Registrant shall implement limits on nonessential outdoor water use when the Secretary of Energy and Environmental Affairs declares a Level-1 Mild Drought or higher for the Drought Region where the Registrant's withdrawals are located, in accordance with 310 CMR 36.07(2)(c).

For withdrawals for the maintenance of golf course greens, tees, fairways, and roughs during a drought declaration by the Secretary for the drought region, county or watershed where the Registrant's withdrawals are located, the Registrant shall comply with the following restrictions on nonessential outdoor water use:

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.
b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

In accordance with 310 CMR 36.07(2)(c), once implemented, restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

If a portion of the Registrant's withdrawal is for non-golf course irrigation purposes and is used to meet the core function of its business as a venue for weddings or similar special events, the Registrant may water by means of a hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants. Such watering is excluded from the definition of Nonessential Outdoor Water Use in 310 CMR 36.03.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

Registrants shall notify the Department in writing within 14 days of the effective date whenever required Nonessential Water Use Restrictions are implemented or revised in accordance with the Secretary's drought declaration for the drought region, county, or watershed where the withdrawals are located.

The Notification of Water Use Restriction form is found at https://www.mass.gov/info-details/outdoor-water-use-restrictions-for-cities-towns-and-golf-courses.

Note: Registrants shall comply with Condition 3 provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use,** then the conditions in the permit shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on nonessential outdoor water use** must comply with Condition 3.

4. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

5. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

6. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

7. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

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Executive Office of Energy & Environmental Affairs

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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

WEST BROOKFIELD WATER DEPARTMENT
TOWN HALL, MAIN STREET
PO BOX 9
WEST BROOKFIELD, MA 01585

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***20832301*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/WEST BROOKFIELD-# 20832301-WEST BROOKFIELD WATER DEPARTMENT- WMA-Registration - 2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 20832301 River Basin: CHICOPEE

Registrant: WEST BROOKFIELD WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.26 Total Annual Volume (MGY): 94.26
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 2 Surface water: 0

Source ID	Type	Source Name
2323000-01G	G	GP WELL 1
2323000-06G	G	WELL 2R

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Secretary

Bonnie Heiple
Commissioner

April 6, 2023

WESTBOROUGH WATER DEPARTMENT
131 OAK STREET
WESTBOROUGH, MA 01581-2636

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21432804*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/WESTBOROUGH-# 21432804-WESTBOROUGH WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21432804 River Basin: CONCORD

Registrant: WESTBOROUGH WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 1.92 Total Annual Volume (MGY): 700.80
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 8
Groundwater: 7 Surface water: 1

Source ID	Type	Source Name
2328000-01G	G	HOPKINTON ROAD WELL
2328000-01S	S	SANDRA POND RESERVOIR
2328000-02G	G	MORSE STREET WELL
2328000-03G	G	ANDREWS I WELL
2328000-04G	G	ANDREWS II WELL
2328000-05G	G	OTIS STREET WELL
2328000-06G	G	WILKINSON WELL
2328000-12G	G	OTIS STREET WELL R1

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

WESTMINSTER WATER DEPARTMENT
2 OAKMONT AVE
P O BOX 376
WESTMINSTER, MA 01473-0376

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21133201*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/WESTMINSTER-# 21133201-WESTMINSTER WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21133201 River Basin: NASHUA

Registrant: WESTMINSTER WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.24 Total Annual Volume (MGY): 88.65
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
2332000-01S	S	MEETINGHOUSE POND

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

WESTMINSTER GOLF COURSE INC
51 ELLIS ROAD
WESTMINSTER, MA 01473

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***21133202*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ WESTMINSTER-#21133202 - WESTMINSTER GOLF COURSE INC-WMA-Registration -2023-04-06

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Massachusetts Water Management Act Registration Statement
For Golf Course Water Use
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, you shall comply with the following restrictions on nonessential outdoor water use when such restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c)2. are summarized as follows:

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.

b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of raw water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21133202 River Basin: NASHUA

Registrant: WESTMINSTER GOLF COURSE INC

Use: Golf

Average Volume per Day (MGD): 0.33 Total Annual Volume (MGY): 71.50
Days of Operation: 214

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
WM4530-01S	S	BURNT MILLPOND

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times Of Drought:
The Registrant shall implement limits on nonessential outdoor water use when the Secretary of Energy and Environmental Affairs declares a Level-1 Mild Drought or higher for the Drought Region where the Registrant's withdrawals are located, in accordance with 310 CMR 36.07(2)(c).

For withdrawals for the maintenance of golf course greens, tees, fairways, and roughs during a drought declaration by the Secretary for the drought region, county or watershed where the Registrant's withdrawals are located, the Registrant shall comply with the following restrictions on nonessential outdoor water use:

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.
b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

In accordance with 310 CMR 36.07(2)(c), once implemented, restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

If a portion of the Registrant's withdrawal is for non-golf course irrigation purposes and is used to meet the core function of its business as a venue for weddings or similar special events, the Registrant may water by means of a hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants. Such watering is excluded from the definition of Nonessential Outdoor Water Use in 310 CMR 36.03.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

Registrants shall notify the Department in writing within 14 days of the effective date whenever required Nonessential Water Use Restrictions are implemented or revised in accordance with the Secretary's drought declaration for the drought region, county, or watershed where the withdrawals are located.

The Notification of Water Use Restriction form is found at https://www.mass.gov/info-details/outdoor-water-use-restrictions-for-cities-towns-and-golf-courses.

Note: Registrants shall comply with Condition 3 provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use,** then the conditions in the permit shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on nonessential outdoor water use** must comply with Condition 3.

4. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

5. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

6. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

7. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

WINCHENDON WATER DEPARTMENT
109 FRONT STREET
WINCHENDON, MA 01475

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***20734301*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/WINCHENDON-# 20734301-WINCHENDON WATER DEPARTMENT- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 20734301 River Basin: MILLERS

Registrant: WINCHENDON WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.67 Total Annual Volume (MGY): 245.06
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
2343000-01S	S	UPPER NAUKEAG LAKE

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

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Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Bonnie Heiple
Commissioner

April 6, 2023

WORCESTER DPW
18 EAST WORCESTER ST
WORCESTER, MA 01604

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21134801*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/WORCESTER-# 21134801-WORCESTER DPW- WMA-Registration -2023-04-06

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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21134801

River Basin: NASHUA

Registrant: WORCESTER DPW

Use: Public Water Supply

Average Volume per Day (MGD): 9.85

Total Annual Volume (MGY): 3595.25

Days of Operation: 365 days

Effective Date: April 8, 2023

Expiration Date: April 7, 2033

Number of registered withdrawal points: 3

Groundwater: 0

Surface water: 3

Source ID	Type	Source Name
2348000-03S	S	KENDALL RESERVOIR
2348000-04S	S	PINE HILL RESERVOIR
2348000-05S	S	QUINAPOXET RESERVOIR

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
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c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.



April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

TATNUCK COUNTRY CLUB
1222 PLEASANT STREET
WORCESTER, MA 01602

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***21234803*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ WORCESTER-#21234803 - TATNUCK COUNTRY CLUB-WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
For Golf Course Water Use
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, you shall comply with the following restrictions on nonessential outdoor water use when such restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c)2. are summarized as follows:

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.

b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of raw water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21234803 River Basin: BLACKSTONE

Registrant: TATNUCK COUNTRY CLUB

Use: Golf

Average Volume per Day (MGD): 0.05 Total Annual Volume (MGY): 9.48
Days of Operation: 175

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 2
Groundwater: 1 Surface water: 1

Source ID	Type	Source Name
WM3860-01G	G	WELL #1
WM3860-01S	S	POND AT HOLE #1

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times Of Drought:
The Registrant shall implement limits on nonessential outdoor water use when the Secretary of Energy and Environmental Affairs declares a Level-1 Mild Drought or higher for the Drought Region where the Registrant's withdrawals are located, in accordance with 310 CMR 36.07(2)(c).

For withdrawals for the maintenance of golf course greens, tees, fairways, and roughs during a drought declaration by the Secretary for the drought region, county or watershed where the Registrant's withdrawals are located, the Registrant shall comply with the following restrictions on nonessential outdoor water use:

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.
b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

In accordance with 310 CMR 36.07(2)(c), once implemented, restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

If a portion of the Registrant's withdrawal is for non-golf course irrigation purposes and is used to meet the core function of its business as a venue for weddings or similar special events, the Registrant may water by means of a hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants. Such watering is excluded from the definition of Nonessential Outdoor Water Use in 310 CMR 36.03.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

Registrants shall notify the Department in writing within 14 days of the effective date whenever required Nonessential Water Use Restrictions are implemented or revised in accordance with the Secretary's drought declaration for the drought region, county, or watershed where the withdrawals are located.

The Notification of Water Use Restriction form is found at https://www.mass.gov/info-details/outdoor-water-use-restrictions-for-cities-towns-and-golf-courses.

Note: Registrants shall comply with Condition 3 provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use,** then the conditions in the permit shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on nonessential outdoor water use** must comply with Condition 3.

4. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

5. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

6. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

7. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

Commonwealth of Massachusetts Lock Box
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

WORCESTER COUNTRY CLUB
2 RICE STREET
WORCESTER, MA 01606

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement #***21234804*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/ WORCESTER-#21234804 - WORCESTER COUNTRY CLUB-WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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Secretary

Bonnie Heiple
Commissioner

Massachusetts Water Management Act Registration Statement
For Golf Course Water Use
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981 through December 31, 1985, and the source locations from which this water was withdrawn, including replacement wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, you shall comply with the following restrictions on nonessential outdoor water use when such restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c)2. are summarized as follows:

[1] The expiration date for Water Management Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:

- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.

b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of raw water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number**:** 21234804 River Basin: BLACKSTONE

Registrant: WORCESTER COUNTRY CLUB

Use: Golf

Average Volume per Day (MGD): 0.10 Total Annual Volume (MGY): 21.00
Days of Operation: 210

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 1
Groundwater: 0 Surface water: 1

Source ID	Type	Source Name
WM3656-01S	S	POND ON POOR FARM BROOK

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions, provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede the corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Report Form it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times Of Drought:
The Registrant shall implement limits on nonessential outdoor water use when the Secretary of Energy and Environmental Affairs declares a Level-1 Mild Drought or higher for the Drought Region where the Registrant's withdrawals are located, in accordance with 310 CMR 36.07(2)(c).

For withdrawals for the maintenance of golf course greens, tees, fairways, and roughs during a drought declaration by the Secretary for the drought region, county or watershed where the Registrant's withdrawals are located, the Registrant shall comply with the following restrictions on nonessential outdoor water use:

a) Level 1 (Mild Drought): irrigation of fairways shall be reduced to 80 percent of normal, irrigation of roughs shall be reduced to 50 percent of normal, and there shall be no irrigation of landscaping and ornamentals.
b) Level 2 (Significant Drought): irrigation of fairways shall be reduced to 60 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): irrigation of fairways shall be reduced to 40 percent of normal, and there shall be no irrigation of roughs, landscaping and ornamentals.

In accordance with 310 CMR 36.07(2)(c), once implemented, restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

If a portion of the Registrant's withdrawal is for non-golf course irrigation purposes and is used to meet the core function of its business as a venue for weddings or similar special events, the Registrant may water by means of a hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants. Such watering is excluded from the definition of Nonessential Outdoor Water Use in 310 CMR 36.03.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

Registrants shall notify the Department in writing within 14 days of the effective date whenever required Nonessential Water Use Restrictions are implemented or revised in accordance with the Secretary's drought declaration for the drought region, county, or watershed where the withdrawals are located.

The Notification of Water Use Restriction form is found at https://www.mass.gov/info-details/outdoor-water-use-restrictions-for-cities-towns-and-golf-courses.

Note: Registrants shall comply with Condition 3 provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use,** then the conditions in the permit shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on nonessential outdoor water use** must comply with Condition 3.

4. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

5. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

6. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

7. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the

notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer of any withdrawal authorized by this document.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

The Notice of Claim and supporting documentation must be sent to:

Case Administrator
Office of Appeals and Dispute Resolution
Department of Environmental Protection
100 Cambridge Street, 9th floor
Boston, MA 02114

In addition, the Department's fee transmittal form, together with a valid check made payable to the Commonwealth of Massachusetts in the amount of $100 for the appeal filing fee, if required, must be mailed to:

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Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The Notice of Claim may be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city, town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, along with the hearing request, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Kathleen M Baskin

April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

WORCESTER DPW
18 EAST WORCESTER STREET
WORCESTER, MA 01604

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2023-2033; and
- The Water Management Act Registrant Statement # ***21234805*** for 2023-2033.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Beth McCann at elizabeth.mccann@mass.gov or (857) 262-3205.

Sincerely,

Kathleen M Baskin

Kathleen Baskin
Assistant Commissioner
Bureau of Water Resources

Enclosures
Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/WORCESTER-# 21234805-WORCESTER DPW- WMA-Registration -2023-04-06

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
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Massachusetts Water Management Act Registration Statement
for Public Water Suppliers
Summary of Content and Conditions for 2023-2033[1]

This summary of the content and conditions of the enclosed renewed Water Management Act (WMA) Registration Statement is not intended to, and should not be construed as, modifying any of the content and conditions. In the event of any ambiguity between this summary and the actual content and conditions, the Registration Statement language shall control.

The enclosed renewed Registration Statement authorizes continued withdrawals from April 8, 2023 through April 7, 2033. This Registration Statement reflects your documented water withdrawals from January 1, 1981, through December 31, 1985, and the source locations from which this water is withdrawn, including replacement and satellite wells. Water Management Act Program registrants have the ability to renew their Registration Statement every ten years (310 CMR 36.10). You filed a timely Registration Renewal Request on forms provided by the Department, and the attached Registration Statement confirms your authorized registered withdrawal volumes and sources.

The Department has updated all Registration Statements to include replacement wells and/or satellite wells, if applicable.

The Water Management Regulations were amended on January 20, 2023, to allow Registration Statements to be conditioned to restrict nonessential outdoor water uses during droughts declared by the Secretary of Energy and Environmental Affairs. *See* 310 CMR 36.07(2)(c). In accordance with the condition contained in your Registration Statement, implementation of restrictions on nonessential outdoor water use by each affected registrant shall begin as soon as possible, but no later than 24 months after issuance of the Registration Statement. The restrictions are triggered by the Secretary's drought declaration for the drought region, county, or watershed where your withdrawals are located. The nonessential outdoor water use restrictions that the Department is including in your Registration Statement pursuant to 310 CMR 36.07(2)(c), are summarized as follows:

[1] The expiration date for WMA Registration Statements in effect from 1/1/2008 through 12/31/2017 was extended:
- by 4 years by Chapter 240 of the Acts of 2010, as amended by Chapter 238 of the Acts of 2012, collectively known as the Permit Extension Act; and
- by 462 days by the Governor's COVID-19 Order No. 42, "Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits," July 2, 2020.

a) Level 1 (Mild Drought): All nonessential outdoor water uses are restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held house or watering cans may be permitted.

b) Level 2 (Significant Drought): All nonessential outdoor water uses are banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-hold hose or watering cans may be permitted.

c) Level 3 (Critical Drought) or Level 4 (Drought Emergency): All nonessential outdoor water uses are banned.

d) Restrictions on nonessential outdoor water use at least as restrictive as described in (a) through (c) above shall remain in place for the respective declared drought level where your withdrawals are located until the drought level is changed by the Secretary.

Note that Public Water Systems that are supplied entirely by reservoirs with multi-year storage (as defined at 310 CMR 36.03) have the option of developing a system-specific Drought Management Plan instead of following the restrictions described above and at 310 CMR 36.07(2)(c)1. Such plans must meet the criteria in the regulations (*see* 310 CMR 36.07(2)(c)3.) and be accepted by the Department in order for the Public Water Systems to implement nonessential water use restrictions consistent with their plan instead of the restrictions described above.

You shall comply with all the conditions in the Registration Statement, provided, however, that **if you also hold a Water Management Act permit that includes conditions requiring you to restrict nonessential outdoor water use**, then the conditions in your permit, including all applicable deadlines for implementation, supersede the condition in this Registration Statement requiring you to implement restrictions on nonessential outdoor water use. *See* 310 CMR 36.07(2)(c)6.

If you also hold a Water Management Act permit that does <u>not</u> include conditions requiring you to restrict nonessential outdoor water use, you must comply with the condition on restricting nonessential outdoor water use in this Registration Statement.

All registrants shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*, and all other applicable state and federal laws.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114 • 617-292-5500

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RENEWAL REGISTRATION STATEMENT FOR VERIFIED WATER WITHDRAWAL

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L. c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 21234805 River Basin: BLACKSTONE

Registrant: WORCESTER DPW

Use: Public Water Supply

Average Volume per Day (MGD): 14.22 Total Annual Volume (MGY): 5190.30
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Number of registered withdrawal points: 8
Groundwater: 1 Surface water: 7

Source ID	Type	Source Name
2348000-01S	S	LYNDE BROOK RESERVOIR
2348000-02G	G	HOME FARM WELL
2348000-02S	S	HOLDEN #2 RESERVOIR
2348000-06S	S	HOLDEN #1 RESERVOIR
2348000-07S	S	KETTLE BROOK NO. 1
2348000-08S	S	KETTLE BROOK NO. 2
2348000-09S	S	KETTLE BROOK NO. 3
2348000-10S	S	KETTLE BROOK NO. 4

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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REGISTRATION CONDITIONS

The Registrant shall comply at all times with M.G.L. c. 21G, 310 CMR 36.00, 310 CMR 4.00: *Timely Action Schedule and Fee Provisions*[2], and all other applicable state and federal laws. In addition, the Registrant shall comply with the following conditions provided, however, that if the Registrant holds a currently valid Water Management Act permit, then the conditions in the permit, including all applicable deadlines, shall supersede any corresponding conditions in this Registration Statement.

1. Metering:
The Registrant shall install and maintain source meter(s) for each withdrawal point(s).
The Registrant shall calibrate all source meter(s) annually.

2. Records:
The Registrant shall maintain withdrawal records in sufficient detail to timely provide the information necessary to accurately complete each Annual Statistical Report (ASR) it files with the Department.

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:
Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use. Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.

In accordance with 310 CMR 36.07(2)(c)3., if the Registrant only withdraws from surface water supplies with Multi-Year Drought Storage (defined at 310 CMR 36.03), as determined by the Department, the Registrant may implement nonessential outdoor water use restrictions in accordance with an accepted drought management plan instead of the restrictions described above. Such registrants shall submit a plan for acceptance within two years of the effective date of this Registration Statement and shall submit an updated plan with each renewal registration request thereafter. See 310 CMR 36.07(2)(c)3. for plan requirements and criteria.

Nonessential Outdoor Water Use means a use that is not required:

(a) for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species;

[2] This includes the requirement to pay an annual compliance assurance fee in accordance with 310 CMR 4.03.

(b) by permit, license, statute or regulation;
(c) for the production of food, including vegetable gardens, and fiber;
(d) for the maintenance of livestock;
(e) to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:
    1. plant nurseries as necessary to maintain stock;
    2. golf courses as necessary to maintain greens and tees, and limited fairway watering per 310 CMR 36.07(2)(c)2.a. through c.;
    3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;
    4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;
(f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
(g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities, and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
(h) for irrigation of publicly-funded shade trees and trees in the public right-of-way; or
(i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

The Registration Statement does not confer enforcement authority to the Registrant. In order to enforce the restrictions required by Condition 3, the Registrant must ensure that appropriate enforcement authority that establishes penalties for violations is adopted within 24 months of issuance of this Registration Statement. MassDEP's "DEP Model Outdoor Water Use Bylaw/Ordinance" was updated in May 2018 to help municipalities and water districts implement seasonal water conservation requirements. See https://www.mass.gov/service-details/model-water-use-restriction-bylawordinance-update.

Nothing in this Registration Statement shall prevent the Registrant from implementing nonessential outdoor water use restrictions that are more stringent than those set forth at 310 CMR 36.07(2)(c) and contained herein.

Tracking Drought Status and Reporting Restriction Implementation During Drought
For the most up-to-date information on the drought status in your region, the Registrant should monitor the Department's website at www.mass.gov/dep and at www.mass.gov/info-details/drought-status.

310 CMR 22.15(8) requires that all public water systems establishing mandatory restrictions on water use notify the Department in writing within 14 days of the effective date of such restrictions. Notice must include a description of the regulations, bylaws or ordinances imposing the restriction. Registrants may also be required to document implementation and enforcement of the restrictions in their ASRs.

Note: Registrants shall comply with Condition 3, provided, however, that if the Registrant holds **a permit that includes conditions on restricting nonessential outdoor water use**, then the conditions in the permit, including all applicable deadlines for implementation, shall supersede Condition 3.

A Registrant that **holds a permit that does not include conditions on restricting nonessential outdoor water use** must comply with Condition 3.

4. Service Charges
The Registrant shall not charge for water services on a descending unit rate basis (*i.e.*, decreasing block rates). Descending unit rate basis that charges lower unit prices as water use increases during the billing period are prohibited by M.G.L. c. 40, § 39L.

5. Annual Reporting
The Registrant shall file an annual statement of withdrawal, as required by 310 CMR 36.11, for each year that this registration is in force, on forms provided and by the deadline specified by the Department. At the request of the Department, the Registrant may be required to report withdrawal volumes monthly or daily in accordance with 310 CMR 36.07.

6. Effect On Any Pending And Future Actions
The withdrawal registration program is intended to provide a procedure and deadline for persons making existing withdrawals above the threshold quantity to file a registration statement with the Department for their existing withdrawals to enable the Department to document baseline water use to manage the surface and groundwater of the Commonwealth. Except as expressly provided herein, this Registration Statement shall not be construed or operate as barring, diminishing, adjudicating or in any way affecting any legal or equitable right of the Department with respect to any pending administrative or judicial action, or any such future action, including without limitation any pending enforcement action or permit appeal, or any legal or equitable right of the Department to pursue any claim, action, suit, cause of action, or demand that the Department may have with respect to any matter covered by this Registration Statement.

7. Registration Renewal
This Registration Statement is effective from April 8, 2023, through the expiration date of April 7, 2033. Failure to file a registration renewal request in accordance with 310 CMR 36.10 shall result in the loss of the Registrant's right to withdraw the water volumes authorized by this Registration Statement until a permit for such withdrawal has been obtained from the Department.

8. Registration Transfer
The transfer of Registration Statements is governed by 310 CMR 36.09. Except as provided in 310 CMR 36.09(2), this Registration Statement may be transferred, in whole or in part, by the Registrant to another person if (1) the Department is notified of the proposed transfer at least 30 days in advance of the proposed transfer date, (2) the notice includes a written agreement between the parties to the transfer and a certification by the transferee, as specified by and in accordance with 310 CMR 36.09, (3) the notice provides the date that the proposed transfer is to take place, and (4) the notice describes the registration to be transferred. A transfer request must be accompanied by the applicable fee established in 310 CMR 4.00. This Registration Statement shall be surrendered to the Department upon transfer.

APPEALS

Any person aggrieved by this decision may request an adjudicatory hearing on this Registration Statement by timely filing a Notice of Claim for an Adjudicatory Appeal ("Notice of Claim") in accordance with 310 CMR 36.37 and 310 CMR 1.00 within twenty-one (21) days of its receipt of this Registration Statement. The Notice of Claim shall state specifically, clearly and concisely the facts that are grounds for the appeal, the relief sought, and any additional information required by applicable law or regulation. A copy of this Registration Statement shall be included with a Notice of Claim. No request for an appeal of this Registration Statement shall be validly filed unless a copy of the request is sent at the same time by certified mail, or delivered by hand, to the local water resources management official in the community in which the withdrawal point is located; and for any person appealing this decision, who is not the Registrant, unless

such person notifies the Registrant of the appeal in writing by certified mail or by hand within five (5) days of mailing the appeal to the Department.

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April 6, 2023

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date