Western Region Registration Statements

ADAMS -10100402 -SPECIALTY MINERALS INC

ADAMS -10100404 -ADAMS FIRE DISTRICT

AGAWAM -10600502 -CRESTVIEW COUNTRY CLUB

AMHERST -10600802 -AMHERST DPW WATER DIVISION

ATHOL -10701501 -ATHOL WATER DEPARTMENT

BELCHERTOWN -10802401 -BELCHERTOWN WATER DISTRICT

BELCHERTOWN -10802402 -MCLAUGHLIN & PALMER STATE FISH

HATCHERY BERNARDSTON -10302901 -BERNARDSTON FIRE & WATER

DISTRICT CHESHIRE -10105801 -CHESHIRE WATER DEPARTMENT

CHICOPEE -10606102 -MCKINSTRY MARKET GARDEN

COLRAIN -10306601 -BARNHARDT MANUFACTURING

DALTON -10207002 -CRANE & CO INC

DALTON -10207003 -DALTON FIRE DISTRICT

DEERFIELD -10307401 -DEERFIELD FIRE DISTRICT

DEERFIELD -10307402 -WILLIAMS FARM INC

DEERFIELD -10307403 -SAVAGE FARMS INC

DEERFIELD -10307404 -TREW CORPORATION

DEERFIELD -10607401- NOURSE FARMS ACQUISITION-WMA Reg Transferred

DEERFIELD -10607402 -SOUTH DEERFIELD WATER SUPPLY DISTRICT

EASTHAMPTON -10608701 -EASTHAMPTON WATER DEPARTMENT

EGREMONT -10109001 -CATAMOUNT SKI AREA

ERVING -10709102 -ERVING PAPER MILLS

GREAT BARRINGTON -10211301 -GREAT BARRINGTON FIRE DISTRICT

GREAT BARRINGTON -10211302 -BERKSHIRE NATIONAL FISH HATCHERY

GREAT BARRINGTON -10211303 -HAZEN PAPER CO

GREAT BARRINGTON -10211304 -BUTTERNUT BASIN SKI AREA

GREAT BARRINGTON -10211306 -HOUSATONIC WATER WORKS

COMPANY GREENFIELD -10311401 -GREENFIELD WATER DEPARTMENT

HADLEY -10611702 -HADLEY WATER DEPARTMENT (REVISED)

HADLEY -10611705 -EARLE M PARSONS & SONS INC

HANCOCK -10112101 -JIMINY PEAK SKI RESORT

HATFIELD -10612702 -HATFIELD WATER DEPARTMENT

HOLYOKE -10413701 -HOLYOKE WATER WORKS

HOLYOKE -10613701 -HAZEN PAPER CO

HOLYOKE -10613706 -SONOCO PRODUCTS COMPANY

HOLYOKE -10613708 -HOLYOKE GAS & ELECTRIC DEPARTMENT

HOLYOKE -10613711 -HOLYOKE WATER WORKS

HOLYOKE -V10613705 -WYCKOFF COUNTRY CLUB INC

HUNTINGTON -10414301 -HUNTINGTON WATER DEPARTMENT

LANESBOROUGH -10214801 -LANESBOROUGH VILLAGE WATER DISTRICT

LEE -10215001 -ONYX SPECIALTY PAPERS INC

LEE -10215003 -LEE WATER DEPARTMENT

LEE -10215004 -LAUREL LAKE WATER POWER LLC

LENOX -10215201 -LENOX WATER DEPARTMENT

LENOX -V10215202 -MIRAVAL BERKSHIRES

LONGMEADOW -10615901 -TWIN HILLS COUNTRY CLUB

LONGMEADOW -10615902 -LONGMEADOW COUNTRY CLUB

MONTAGUE -10619201 -TURNERS FALLS FIRE DISTRICT (Revised)

MONTAGUE -10719201 -ERVING TOWN OF

MONSON -10819101 -MONSON WATER & SEWER DEPARTMENT

NORTH ADAMS -10120901 -NORTH ADAMS WATER DEPARTMENT

NORTHAMPTON -10621401 -NORTHAMPTON WATER DEPARTMENT

ORANGE -10722301 -ORANGE WATER DEPARTMENT

PALMER -10822701 -THREE RIVERS FIRE DISTRICT

PALMER -10822702 -PALMER WATER DEPARTMENT

PALMER -10822704 -BONDSVILLE FIRE & WATER DISTRICT

PITTSFIELD -10223601 -PITTSFIELD WATER DEPARTMENT

PITTSFIELD -10223603 -PITTSFIELD COUNTRY CLUB

RUSSELL -10425601 -RUSSELL WATER DEPARTMENT

SHEFFIELD -10226701 -MOUNTAIN WATER SYSTEMS INC

SHELBURNE FALLS -10326801 -SHELBURNE FALLS FIRE DISTRICT

SOUTH HADLEY -10627502 -SOUTH HADLEY FIRE DISTRICT 2 WATER DEPT.

SOUTHAMPTON -10627602 -SOUTHAMPTON COUNTRY CLUB

SOUTHWICK -10427905 -SOUTHWICK WATER DEPARTMENT

SPRINGFIELD -10428101 -SPRINGFIELD WATER AND SEWER COMMISSION (Revised)

SPRINGFIELD -10632501 -FOUNTAIN PLATING CO INC

SPRINGFIELD -10828101 -SPRINGFIELD WATER AND SEWER COMMISSION

STOCKBRIDGE -10228301 -STOCKBRIDGE WATER DEPARTMENT

SUNDERLAND -10628901 -RICHARD CRONIN AQUATIC RESOURCE CENTER

SUNDERLAND -10628904 -DELTA SAND AND GRAVEL INC

SUNDERLAND -10628905 -SUNDERLAND WATER DISTRICT

SUNDERLAND -10628907 -SUNDERLAND STATE FISH HATCHERY

WARE -10830901 -MWRA

WARE -10830902 -WARE WATER DEPARTMENT

WARREN -10831102 -WARREN WATER DISTRICT

WEST SPRINGFIELD -10432501 -73 CHESTNUT REALTY LLC (Transferred)

WEST SPRINGFIELD -10432503 -WEST SPRINGFIELD WATER DEPARTMENT WEST

WESTFIELD -10425602 -WORONOCO REALTY COMPANY

WESTFIELD -10432901 -WESTFIELD WATER DEPARTMENT

WILBRAHAM -10833901 -DAUPHINAIS & SON INC

WILLIAMSBURG -10634001 -WILLIAMSBURG WATER DEPARTMENT

WILLIAMSTOWN -10134101 -WILLIAMSTOWN WATER DEPARTMENT

WHATELY - 10633702 - NOURSE FARMS ACQUISITION (Transferred)

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

SPECIALTY MINERALS INC
260 COLUMBIA ST
ADAMS, MA 01220

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 # ***10100402*** 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/ADAMS-# 10100402-SPECIALTY MINERALS 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

Printed on Recycled Paper

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

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**:** 10100402 River Basin: HUDSON

Registrant: SPECIALTY MINERALS INC

Use: Industry

Average Volume per Day (MGD): 3.70 Total Annual Volume (MGY): 1350.50
Days of Operation: 365

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
WM3706-01G	G	WELL#1
WM3706-02G	G	WELL#2
WM3706-03G	G	WELL #3
WM3706-04G	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 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

ADAMS FIRE DISTRICT
3 COLUMBIA STREET
ADAMS, MA 01220-1307

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 # ***10100404*** 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/ADAMS-# 10100404-ADAMS FIRE 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

Printed on Recycled Paper

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

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: 10100404

River Basin: HUDSON

Registrant: ADAMS FIRE DISTRICT

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: 4

Groundwater: 3

Surface water: 1

Source ID	Type	Source Name
1004000-01S	S	BASSETT BROOK RESERVOIR
1004000-02G	G	CHESHIRE HARBOR WELL #2A
1004000-03G	G	CHESHIRE HARBOR WELL #3
1004000-04G	G	CHESHIRE HARBOR 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

CRESTVIEW COUNTRY CLUB
BOX 305
281 SHOEMAKER LANE
AGAWAM, MA 01001

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 #***10600502*** 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/ AGAWAM-#10600502 - CRESTVIEW 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

Printed on Recycled Paper

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

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**:** 10600502 River Basin: CONNECTICUT

Registrant: CRESTVIEW COUNTRY CLUB

Use: Golf

Average Volume per Day (MGD): 0.06 Total Annual Volume (MGY): 10.69
Days of Operation: 184

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
WM3745-01G	G	WELL #1
WM3745-01S	S	CC POND
WM3745-02G	G	WELL #2
WM3745-03G	G	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

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

AMHERST DPW WATER DIVISION
586 SOUTH PLEASANT STREET
AMHERST, MA 01002

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 # ***10600802*** 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/AMHERST-# 10600802-AMHERST 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

Printed on Recycled Paper

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

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: 10600802 River Basin: CONNECTICUT

Registrant: AMHERST DPW WATER DIVISION

Use: Public Water Supply

Average Volume per Day (MGD): 3.34 Total Annual Volume (MGY): 1220.66
Days of Operation: 365 days

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

Number of registered withdrawal points: 9
Groundwater: 7 Surface water: 2

Source ID	Type	Source Name
1008000-01G	G	SOUTH AMHERST WELL #1
1008000-01S	S	ATKINS RESERVOIR
1008000-02G	G	BROWN WELL #3
1008000-02S	S	HAWLEY RESERVOIR
1008000-05G	G	SOUTH AMHERST WELL #4
1008000-06G	G	BAY ROAD WELL #5
1008000-07G	G	WELL #6
1008000-08G	G	REPLACEMENT WELL #2
1008000-09G	G	REPLACEMENT 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
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

ATHOL WATER DEPARTMENT
584 MAIN STREET
ROOM 24
ATHOL, MA 01331-1832

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 # ***10701501*** 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/ATHOL-# 10701501-ATHOL 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

Printed on Recycled Paper

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

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: 10701501 River Basin: MILLERS

Registrant: ATHOL WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 1.04 Total Annual Volume (MGY): 379.66
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
1015000-01S	S	PHILLIPSTON RESERVOIR
1015000-02S	S	NEWTON 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

BELCHERTOWN WATER DISTRICT
P O BOX 801
BELCHERTOWN, MA 01007

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 # ***10802401*** 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/BELCHERTOWN-# 10802401-BELCHERTOWN 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

Printed on Recycled Paper

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

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: 10802401 River Basin: CHICOPEE

Registrant: BELCHERTOWN WATER DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.19 Total Annual Volume (MGY): 70.26
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
1024000-01G	G	Well #1
1024000-02G	G	Well #2
1024000-03G	G	Well #3
1024000-04G	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
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

MCLAUGHLIN & PALMER STATE FISH HATCHERY
90 EAST STREET
ATTN: CHIEF FISH CULTURIST
BELCHERTOWN, MA 01007

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 # ***10802402*** 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/BELCHERTOWN-# 10802402-MCLAUGHLIN & PALMER STATE FISH HATCHERY- 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

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

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**:** 10802402 River Basin: CHICOPEE

Registrant: MCLAUGHLIN & PALMER STATE FISH HATCHERY

Use: Fish Hatchery

Average Volume per Day (MGD): 6.43 Total Annual Volume (MGY): 2347.82
Days of Operation: 365

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

Number of registered withdrawal points: 7
Groundwater: 5 Surface water: 2

Source ID	Type	Source Name
WM3800-01G	G	PALMER HATCHERY-WELL 1
WM3800-01S	S	PALMER HATCHERY-RESERVOIR
WM3800-02G	G	PALMER HATCHERY-WELL #2
WM3800-02S	S	MCLAUGHLIN HATCHERY
WM3800-03G	G	MCLAUGHLIN HATCHERY #1
WM3800-04G	G	MCLAUGHLIN HATCHERY #2
WM3800-05G	G	MCLAUGHLIN HATCHERY #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 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

BERNARDSTON FIRE & WATER DISTRICT
38 CHURCH STREET
BERNARDSTON, MA 01337

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 # ***10302901*** 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/BERNARDSTON-# 10302901-BERNARDSTON FIRE & 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

Printed on Recycled Paper

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

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: 10302901 River Basin: DEERFIELD

Registrant: BERNARDSTON FIRE & WATER DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.17 Total Annual Volume (MGY): 61.56
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
1029000-01G	G	WELL #1 (O1G)
1029000-02G	G	PRATT WELL (02G)

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

CHESHIRE WATER DEPARTMENT
80 CHURCH STREET
BOX 657
CHESHIRE, MA 01225

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 # ***10105801*** 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/CHESHIRE-# 10105801-CHESHIRE 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

Printed on Recycled Paper

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

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: 10105801 River Basin: HUDSON

Registrant: CHESHIRE WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.22 Total Annual Volume (MGY): 80.30
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
1058000-01S	S	KITCHEN BROOK 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

MCKINSTRY MARKET GARDEN
753 MONTGOMERY STREET
CHICOPEE, MA 01020

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 #***10606102*** 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/CHICOPEE -# 10606102 - MCKINSTRY MARKET GARDEN- 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

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

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**:** 10606102 River Basin: CONNECTICUT

Registrant: MCKINSTRY MARKET GARDEN

Use: Agriculture

Average Volume per Day (MGD): 0.10 Total Annual Volume (MGY): 9.35
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
WM3752-01S	S	Connecticut 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

BARNHARDT MANUFACTURING
PO BOX 3
247 MAIN ROAD
COLRAIN, MA 01340

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 # ***10306601*** 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/COLRAIN-# 10306601-BARNHARDT MANUFACTURING- 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

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

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**:** 10306601 River Basin: DEERFIELD

Registrant: BARNHARDT MANUFACTURING

Use: Industry

Average Volume per Day (MGD): 0.89 Total Annual Volume (MGY): 323.60
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
WM3727-01S	S	NORTH 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

CRANE & CO INC
30 SOUTH STREET
DALTON, MA 01226

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 # ***10207002*** 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/DALTON-# 10207002-CRANE & CO 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

Printed on Recycled Paper

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

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**:** 10207002 River Basin: HOUSATONIC

Registrant: CRANE & CO INC

Use: Industry

Average Volume per Day (MGD): 2.97 Total Annual Volume (MGY): 1084.80
Days of Operation: 365

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
WM4390-01G	G	HARRIS WELL #1
WM4390-02G	G	HARRIS #2 WELL
WM4390-03G	G	BW CHAMBERLAIN WELL
WM4390-04G	G	BW RUST BONANZA WELL
WM4390-05G	G	PIONEER MILL WELL
WM4390-06G	G	BAY STATE WELL #12
WM4390-07G	G	GOVERNMENT WELL #11

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

DALTON FIRE DISTRICT
20 FLANSBURG AVENUE
DALTON, MA 01226

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 # ***10207003*** 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/DALTON-# 10207003-DALTON FIRE 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

Printed on Recycled Paper

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

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: 10207003

River Basin: HOUSATONIC

Registrant: DALTON FIRE DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.67

Total Annual Volume (MGY): 244.65

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
1070000-01S	S	ANTHONY INTAKE
1070000-02S	S	EGYPT RESERVOIR
1070000-03S	S	WINDSOR 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

DEERFIELD FIRE DISTRICT
167 MILL VILLAGE ROAD
PO BOX 168
DEERFIELD, MA 01342-0168

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 # ***10307401*** 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/DEERFIELD-# 10307401-DEERFIELD FIRE 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

Printed on Recycled Paper

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

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: 10307401 River Basin: DEERFIELD

Registrant: DEERFIELD FIRE DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.10 Total Annual Volume (MGY): 36.54
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
1074000-01G	G	GP WELL RT5-WAPPING WELL
1074000-02G	G	KEATS SPRING
1074000-03G	G	WELLS SPRING
1074000-04G	G	HARRIS SPRINGS
1074000-05G	G	STILLWATER WELL
1074000-06G	G	STILLWATER SPRINGS
1074000-07G	G	Cistern

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

WILLIAMS FARM INC
491 GREENFIELD RD
PO BOX 246
DEERFIELD, MA 01342

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 #***10307402*** 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/DEERFIELD -# 10307402 - WILLIAMS 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

Printed on Recycled Paper

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

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**:** 10307402 River Basin: DEERFIELD

Registrant: WILLIAMS FARM INC

Use: Agriculture

Average Volume per Day (MGD): 0.08 Total Annual Volume (MGY): 7.50
Days of Operation: 92

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
WM3730-01S	S	WILLIAMS FARM 1
WM3730-02S	S	WILLIAM FARM #2
WM3730-03S	S	WILLIAMS FARM #3 POND
WM3730-04S	S	WILLIAMS FARM #4 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.

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

SAVAGE FARMS INC
128 LOWER ROAD
WEST DEERFIELD, MA 01342

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 #***10307403*** 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 DEERFIELD -# 10307403 - SAVAGE FARMS 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

Printed on Recycled Paper

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

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**:** 10307403 River Basin: DEERFIELD

Registrant: SAVAGE FARMS INC

Use: Agriculture

Average Volume per Day (MGD): 0.29 Total Annual Volume (MGY): 44.00
Days of Operation: 153

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
WM3756-01S	S	SAVAGE FARM-DEERFIELD 1
WM3756-02S	S	SAVAGE FARM-DEERFIELD 2
WM3756-03S	S	SAVAGE FARM-DEERFIELD 3
WM3756-04S	S	SAVAGE FARM-DEERFIELD 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 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

TREW CORPORATION
323 AMHERST ROAD
PO BOX 91
SUNDERLAND, MA 01375

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 # ***10307404*** 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/DEERFIELD-# 10307404-TREW 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

Printed on Recycled Paper

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

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**:** 10307404 River Basin: DEERFIELD

Registrant: TREW CORPORATION

Use: Industry

Average Volume per Day (MGD): 0.14 Total Annual Volume (MGY): 52.53
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
WM3792-03G	G	TREW CORP 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 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 Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

May 28, 2025

Tim Nourse
Nourse Farms, Inc
41 River Road
Whately, MA 01093

Re: Nourse Farms – WMA BRP WM01
WMA Registration #10607401
Action: Registration Transfer

Dear Mr. Nourse:

In response to your request to transfer a portion of Water Management Act (WMA) Registration #10607401 from Nourse Farms, Inc to Nourse Farms Acquisition, LLC, please find the enclosed documents:

- Water Management Act Registration #***10607401*** for 2025-2033, and a covering description of the Registration Statement, that remains with Nourse Farms, Inc after its partial transfer to Nourse Farms Acquisition, LLC.

According to the transfer document (BRP WM 01) a portion of the registered withdrawal volume (0.06 MGD) and one registered withdrawal point (Home Pump #2-WM3753-02S) is being transferred from Registration #10607401 to Registration #10633702. For the volume and withdrawal points remaining on Registration #10607401, there will be no change in the use of authorized water withdrawal volumes or withdrawal points that remain with Nourse Farms, Inc., in the discharge point of the water after use or in the number of days per year that the water will be withdrawn.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Brittany Segill at Brittany.segill@mass.gov (preferred) or (617) 960-6598.

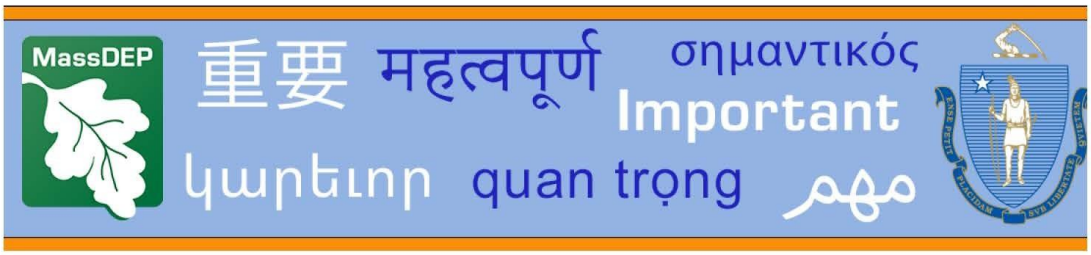
Sincerely,

Duane LeVangie
Water Management Program Chief
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/Whately -10607401 - NOURSE FARMS INC.- WMA Registration Transfer -05.28.2025

This information is available in alternate format. Please contact MassDEP at 617-292-5500.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper



Communication for Non-English-Speaking Parties

This document is important and should be translated immediately.

If you need this document translated, please contact MassDEP's Director of Environmental Justice at the telephone number listed below.

Español Spanish

Este documento es importante y debe ser traducido inmediatamente. Si necesita traducir este documento, póngase en contacto con el Director de Justicia Ambiental de MassDEP (*MassDEP's Director of Environmental Justice*) en el número de teléfono que figura más abajo.

Português Portuguese

Este documento é importante e deve ser traduzido imediatamente. Se você precisar traduzir este documento, entre em contato com o Diretor de Justiça Ambiental do MassDEP no número de telefone listado abaixo.

繁體中文 Chinese Traditional

本文檔很重要，需要即刻進行翻譯。
如需對本文檔進行翻譯，請透過如下列示電話號碼與 MassDEP 的環境司法總監聯絡。

简体中文 Chinese Simplified

这份文件非常重要，需要立即翻译。
如果您需要翻译这份文件，请通过下方电话与 MassDEP 环境司法主任联系。

Ayisyen Kreyòl Haitian Creole

Dokiman sa a enpòtan epi yo ta dwe tradui l imedyatman. Si w bezwen tradui dokiman sa a, tanpri kontakte Direktè. Jistis Anviwònmantal MassDEP a nan nimewo telefòn ki endike anba a.

Việt Vietnamese

Tài liệu này và quan trọng và phải được dịch ngay. Nếu quý vị cần bản dịch của tài liệu này, vui lòng liên hệ với Giám Đốc Phòng Công Lý Môi Trường của MassDEP theo số điện thoại được liệt kê bên dưới.

ប្រទេសកម្ពុជា Khmer/Cambodian

ឯកសារនេះមានសារៈសំខាន់
ហើយគប្បីតួរត្រូវបានបកប្រែភ្លាមៗ។
ប្រសិនបើអ្នកត្រូវការអោយឯកសារនេះបកប្រែ
សូមទាក់ទងនាយកផ្នែកយុត្តិធម៌បរិស្ថានរបស់
MassDEPតាមរយៈលេខទូរស័ព្ទដែលបានរាយដូចខាងក្រោម។

Kriolu Kabuverdianu Cape Verdean

Es dokumentu sta important i tenki ser tradusidu immediatamenti. Se nho ta presisa ke es dokumentu sta tradisidu, por favor kontata O Diretor di Justisia di Environman di DEP ku es numero di telifoni menxionadu di baixo.

Contact Deneen Simpson 857-406-0738
Massachusetts Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114
TTY# MassRelay Service 1-800-439-2370 • https://www.mass.gov/environmental-justice
(Version revised 8.2.2023) 310 CMR 1.03(5)(a)

Русский Russian

Это чрезвычайно важный документ, и он должен быть немедленно переведен. Если вам нужен перевод этого документа, обратитесь к директору Департамента экологического правосудия MassDEP (MassDEP's Director of Environmental Justice) по телефону, указанному ниже.

العربية Arabic

هذه الوثيقة مهمة وتجب ترجمتها على الفور.

إذا كنت بحاجة إلى ترجمة هذه الوثيقة، فيرجى الاتصال بمدير العدالة البيئية فيMassDEP على رقم الهاتف المذكور أدناه.

한국어 Korean

이 문서는 중대하므로 즉시 번역되어야 합니다.
본 문서 번역이 필요하신 경우, 매사추세츠 환경보호부의 "환경정의" 담당자 분께 문의하십시오. 전화번호는 아래와 같습니다.

հայերեն Armenian

Այս փաստաթուղթը կարևոր է, և պետք է անհապաղ թարգմանել այն:
Եթե Ձեզ անհրաժեշտ է թարգմանել այս փաստաթուղթը, դիմեք Մասաչուսեթսի շրջակա միջավայրի պահպանության նախարարության (MassDEP) Բնապահպանական հարցերով արդարադատության ղեկավարին (Director of Environmental Justice)՝ ստորև նշված հեռախոսահամարով

فارسی Farsi Persian

این نوشتار بسیار مهمی است و باید فوراً ترجمه شود.
اگر نیاز به ترجمه این نوشتار دارید لطفاً با مدیر عدالت محیط زیستی MassDEP در شماره تلفن ذکر شده زیر تماس بگیرید.

Français French

Ce document est important et doit être traduit immédiatement. Si vous avez besoin d'une traduction de ce document, veuillez contacter le directeur de la justice environnementale du MassDEP au numéro de téléphone indiqué ci-dessous.

Deutsch German

Dieses Dokument ist wichtig und muss sofort übersetzt werden. Wenn Sie eine Übersetzung dieses Dokuments benötigen, wenden Sie sich bitte an MassDEP's Director of Environmental Justice *(Direktor für Umweltgerechtigkeit in Massachusetts)* unter der unten angegebenen Telefonnummer.

Ελληνική Greek

Το έγγραφο αυτό είναι πολύ σημαντικό και πρέπει να μεταφραστεί αμέσως. Αν χρειάζεστε μετάφραση του εγγράφου αυτού, παρακαλώ επικοινωνήστε με τον Διευθυντή του Τμήματος Περιβαλλοντικής Δικαιοσύνης της Μασαχουσέτης στον αριθμό τηλεφώνου που αναγράφεται παρακάτω

Italiano Italian

Questo documento è importante e deve essere tradotto immediatamente. Se hai bisogno di tradurre questo documento, contatta il Direttore della Giustizia Ambientale di MassDEP al numero di telefono sotto indicato.

Język Polski Polish

Ten dokument jest ważny i powinien zostać niezwłocznie przetłumaczony. Jeśli potrzebne jest tłumaczenie tego dokumentu, należy skontaktować się z dyrektorem ds. sprawiedliwości środowiskowej MassDEP pod numerem telefonu podanym poniżej.

हिन्दी Hindi

यह दस्तावेज महत्वपूर्ण है और इसका अनुवाद तुरंत किया जाना चाहिए। यदि आपको इस दस्तावेज का अनुवाद कराने की जरूरत है, तो कृपया नीचे दिए गए टेलीफोन नंबर पर MassDEP के पर्यावरणीय न्याय निदेशक से संपर्क करें।

Contact Deneen Simpson 857-406-0738
Massachusetts Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114
TTY# MassRelay Service 1-800-439-2370 • https://www.mass.gov/environmental-justice
(Version revised 8.2.2023) 310 CMR 1.03(5)(a)

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street Suite 900 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 Water Withdrawals
Summary of Content and Conditions for 2025-2033

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 transferred Registration Statement authorizes continued withdrawals from May 28, 2025, 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). Attached is the transferred Registration Statement confirming 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.

This information is available in alternate format. Please contact MassDEP at 617-292-5500.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

TRANSFER 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: 10607401

River Basin: Connecticut

Registrant: Nourse Farms, Inc.

Use: Agriculture

Average Volume per Day (MGD): 0.14

Total Annual Volume (MGY): 25.76

Days of Operation: 184

Issuance Date: April 7, 2023
Revised Date: May 28, 2025

Expiration Date: April 7, 2033

Number of Registered Withdrawal Points: 5
Groundwater: 1
Surface Water: 4

Source ID	Type	Source Name
WM3753-01G	G	DRIPLINE # 1
WM3753-03S	S	RIVER PUMP #3
WM3753-07S	S	LONG PLAIN ROAD #7
WM3753-08S	S	BELDEN PUMP #5
WM3753-09S	S	SAWMILL RIVER

This information is available in alternate format. Please contact MassDEP at 617-292-5500.
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[1], 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 May 28, 2025, 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.

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

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.

Duane LeVangie

May 28, 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

SOUTH DEERFIELD WATER SUPPLY DISTRICT
BOX 51
SOUTH DEERFIELD, MA 01373

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 # ***10607402*** 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 DEERFIELD-# 10607402-SOUTH DEERFIELD WATER SUPPLY 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

Printed on Recycled Paper

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

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: 10607402 River Basin: CONNECTICUT

Registrant: SOUTH DEERFIELD WATER SUPPLY DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.65 Total Annual Volume (MGY): 237.25
Days of Operation: 365 days

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

Number of registered withdrawal points: 3
Groundwater: 1 Surface water: 2

Source ID	Type	Source Name
1074001-01G	G	SUGARLOAF ST. WELLFIELD
1074001-01S	S	ROARING BROOK DAM
1074001-02S	S	WHATELY 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

EASTHAMPTON WATER DEPARTMENT
50 PAYSON STREET
EASTHAMPTON, MA 01027

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 # ***10608701*** 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/EASTHAMPTON-# 10608701-EASTHAMPTON 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

Printed on Recycled Paper

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

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: 10608701 River Basin: CONNECTICUT

Registrant: EASTHAMPTON WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 3.31 Total Annual Volume (MGY): 1208.83
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
1087000-04G	G	HENDRICK STREET 1 & 2
1087000-05G	G	PINES WELL
1087000-07G	G	MALONEY
1087000-08G	G	NONOTUCK PARK

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

CATAMOUNT SKI AREA
P O BOX 128
SOUTH EGREMONT, MA 01258

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 # ***10109001*** 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 EGREMONT-# 10109001-CATAMOUNT SKI AREA- 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

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

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**:** 10109001 River Basin: HUDSON

Registrant: CATAMOUNT SKI AREA

Use: Snow-making

Average Volume per Day (MGD): 0.40 Total Annual Volume (MGY): 36.00
Days of Operation: 90

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
WM4600-01S	S	POND 2
WM4600-02S	S	POND 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. 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

ERVING PAPER MILLS
97 EAST MAIN STREET
ERVING, MA 01344

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 # ***10709102*** 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/ERVING-# 10709102-ERVING PAPER MILLS- 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

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

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**:** 10709102 River Basin: MILLERS

Registrant: ERVING PAPER MILLS

Use: Industry

Average Volume per Day (MGD): 2.66 Total Annual Volume (MGY): 969.66
Days of Operation: 365

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
1091005-01G	G	ERVING PAPER MILLS WELL 1
1091005-03G	G	ERVING PAPER MILLS WELL 2
WM3796-01S	S	MILLERS RIVER INTAKE

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

GREAT BARRINGTON FIRE DISTRICT
17 EAST STREET
GREAT BARRINGTON, MA 01230

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 # ***10211301*** 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/GREAT BARRINGTON-# 10211301-GREAT BARRINGTON FIRE 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

Printed on Recycled Paper

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

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: 10211301 River Basin: HOUSATONIC

Registrant: GREAT BARRINGTON FIRE DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 1.09 Total Annual Volume (MGY): 396.44
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
1113000-01G	G	GREEN RIVER INFILTRATION
1113000-01S	S	EAST MOUNTAIN 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

BERKSHIRE NATIONAL FISH HATCHERY
C/O U.S. FISH AND WILDLIFE SERVICE
4 HOLDEN ROAD
NORTH CHITTENDON, VT 05763

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 # ***10211302*** 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/GREAT BARRINGTON-# 10211302-BERKSHIRE NATIONAL FISH HATCHERY- 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

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

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**:** 10211302 River Basin: HOUSATONIC

Registrant: BERKSHIRE NATIONAL FISH HATCHERY

Use: Fish Hatchery

Average Volume per Day (MGD): 0.25 Total Annual Volume (MGY): 91.25
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
WM3711-01G	G	ARTESIAN WELL FIELD (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

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

HAZEN PAPER CO
240 SOUTH WATER STREET
HOLYOKE, MA 01040

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 # ***10211303*** 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/HOUSATONIC-# 10211303-HAZEN PAPER CO- 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

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

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**:** 10211303 River Basin: HOUSATONIC

Registrant: HAZEN PAPER CO

Use: Industry

Average Volume per Day (MGD): 1.04 Total Annual Volume (MGY): 381.37
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
WM3712-01G	G	PARK STREET WELL
WM3712-02G	G	PARK 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 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

BUTTERNUT BASIN SKI AREA
380 STATE ROAD
GREAT BARRINGTON, MA 01230

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 # ***10211304*** 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/GREAT BARRINGTON-# 10211304-BUTTERNUT BASIN SKI AREA- 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

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

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**:** 10211304 River Basin: HOUSATONIC

Registrant: BUTTERNUT BASIN SKI AREA

Use: Snow-making

Average Volume per Day (MGD): 0.50 Total Annual Volume (MGY): 60.00
Days of Operation: 120

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

Number of registered withdrawal points: 4
Groundwater: 2 Surface water: 2

Source ID	Type	Source Name
1113006-01G	G	BUTTERNUT BASIN WELL#1
1113006-02G	G	BUTTERNUT BASIN WELL#2
WM3713-02S	S	BUTTERNUT BASIN POND#1
WM3713-03S	S	BUTTERNUT BASIN 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

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

HOUSATONIC WATER WORKS COMPANY
80 MAPLE AVE, SUITE 1
GREAT BARRINGTON, MA 01230

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 # ***10211306*** 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/GREAT BARRINGTON-# 10211306-HOUSATONIC WATER WORKS 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

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

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: 10211306 River Basin: HOUSATONIC

Registrant: HOUSATONIC WATER WORKS COMPANY

Use: Public Water Supply

Average Volume per Day (MGD): 0.27 Total Annual Volume (MGY): 99.00
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
1113003-01S	S	LONG 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

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

GREENFIELD WATER DEPARTMENT
TOWN HALL
14 COURT SQUARE
GREENFIELD, MA 01301-0341

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 # ***10311401*** 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/GREENFIELD-# 10311401-GREENFIELD 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

Printed on Recycled Paper

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

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: 10311401 River Basin: DEERFIELD

Registrant: GREENFIELD WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 2.12 Total Annual Volume (MGY): 773.85
Days of Operation: 365 days

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
1114000-01S	S	GLEN BROOK-UPPER RESERV.
1114000-03S	S	GREEN RIVER
1114000-04G	G	MILLBROOK WELL #1
1114000-05G	G	MILLBROOK WELL #2
1114000-06G	G	MILLBROOK 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

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

EARLE M PARSONS & SONS INC
140 MILE VALLEY ROAD
HADLEY, MA 01035

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 #***10611705*** 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/HADLEY -# 10611705 - EARLE M PARSONS & SONS 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

Printed on Recycled Paper

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

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**:** 10611705 River Basin: CONNECTICUT

Registrant: EARLE M PARSONS & SONS INC

Use: Agriculture

Average Volume per Day (MGD): 1.03 Total Annual Volume (MGY): 92.40
Days of Operation: 90

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
WM3761-01S	S	CONNECTICUT 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

March 6, 2025

HADLEY WATER DEPARTMENT
TOWN HALL
HADLEY, MA 01035

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 # ***10611702*** 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/HADLEY-# 10611702-HADLEY WATER DEPARTMENT- WMA-Registration -2025-03-06 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

Printed on Recycled Paper

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

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: 10611702 River Basin: CONNECTICUT

Registrant: HADLEY WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.79 Total Annual Volume (MGY): 287.65
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033
Revised: March 6, 2025

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

Source ID	Type	Source Name
1117002-01G	G	MOUNT WARNER #1
1117002-02G	G	MOUNT WARNER #2
1117002-03G	G	CALLAHAN WELL #1
1117002-04G	G	CALLAHAN 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

JIMINY PEAK SKI RESORT
37 COREY ROAD
HANCOCK, MA 01237

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 # ***10112101*** 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/HANCOCK-# 10112101-JIMINY PEAK SKI RESORT- 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

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

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**:** 10112101 River Basin: HUDSON

Registrant: JIMINY PEAK SKI RESORT

Use: Snow-making

Average Volume per Day (MGD): 0.45 Total Annual Volume (MGY): 54.00
Days of Operation: 120

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
WM3707-01S	S	Bentley Brook
WM3707-03S	S	Jiminy Creek

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

HATFIELD WATER DEPARTMENT
59 MAIN STREET
HATFIELD, MA 01038

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 # ***10612702*** 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/HATFIELD-# 10612702-HATFIELD 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

Printed on Recycled Paper

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

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: 10612702 River Basin: CONNECTICUT

Registrant: HATFIELD WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.35 Total Annual Volume (MGY): 127.88
Days of Operation: 365 days

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
1127000-01G	G	RUNNING GUTTER BROOK WELL
1127000-01S	S	RUNNING GUTTER BROOK RES.
1127000-02G	G	OMASTA 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

HOLYOKE WATER WORKS
20 COMMERCIAL STREET
HOLYOKE, MA 01040

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 # ***10413701*** 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/HOLYOKE-# 10413701-HOLYOKE WATER 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

Printed on Recycled Paper

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

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: 10413701 River Basin: WESTFIELD

Registrant: HOLYOKE WATER WORKS

Use: Public Water Supply

Average Volume per Day (MGD): 1.01 Total Annual Volume (MGY): 368.36
Days of Operation: 365 days

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

Number of registered withdrawal points: 3
Groundwater: 1 Surface water: 2

Source ID	Type	Source Name
1137000-01G	G	CORONET HOMES WELL
1137000-01S	S	ASHLEY PONDS RESERVOIR
1137000-03S	S	MCLEAN 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

HAZEN PAPER CO
P O BOX 189
HOLYOKE, MA 01041

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 # ***10613701*** 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/HOLYOKE-# 10613701-HAZEN PAPER CO- 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

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

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**:** 10613701 River Basin: CONNECTICUT

Registrant: HAZEN PAPER CO

Use: Industry

Average Volume per Day (MGD): 0.13 Total Annual Volume (MGY): 47.60
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
WM3767-01G	G	MAIN PLANT - WELL #1
WM3767-02G	G	MAIN PLANT - WELL #2
WM3767-03G	G	NORTH PLANT - 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

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

SONOCO PRODUCTS COMPANY
200 SOUTH WATER STREET
HOLYOKE, MA 01040-5908

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 # ***10613706*** 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/HOLYOKE-# 10613706-SONOCO PRODUCTS 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

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

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**:** 10613706 River Basin: CONNECTICUT

Registrant: SONOCO PRODUCTS COMPANY

Use: Industry

Average Volume per Day (MGD): 0.85 Total Annual Volume (MGY): 310.65
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
WM3771-01S	S	SONOCO INTAKE

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

HOLYOKE GAS & ELECTRIC DEPARTMENT
99 SUFFOLK STREET
HOLYOKE, MA 01040

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 # ***10613708*** 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/HOLYOKE-# 10613708-HOLYOKE GAS & ELECTRIC 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

Printed on Recycled Paper

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

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**:** 10613708 River Basin: CONNECTICUT

Registrant: HOLYOKE GAS & ELECTRIC DEPARTMENT

Use: Industry

Average Volume per Day (MGD): 0.62 Total Annual Volume (MGY): 225.88
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
WM3772-01S	S	HOLYOKE G&E INTAKE #1
WM3772-02S	S	HOLYOKE G&E INTAKE #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 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

HOLYOKE WATER WORKS
600 WESTFIELD ROAD
HOLYOKE, MA 01040

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 # ***10613711*** 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/HOLYOKE-# 10613711-HOLYOKE WATER 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

Printed on Recycled Paper

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

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: 10613711

River Basin: CONNECTICUT

Registrant: HOLYOKE WATER WORKS

Use: Public Water Supply

Average Volume per Day (MGD): 8.04

Total Annual Volume (MGY): 2935.40

Days of Operation: 365 days

Effective Date: April 8, 2023

Expiration Date: April 7, 2033

Number of registered withdrawal points: 3

Groundwater: 1

Surface water: 2

Source ID	Type	Source Name
1137000-02G	G	PEQUOT WELLS
1137000-02S	S	WHITING STREET RESERVOIR
1137000-05S	S	MANHAN 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

WYCKOFF COUNTRY CLUB INC
233 EASTHAMPTON ROAD
HOLYOKE, MA 01040

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 #***V10613705*** 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/ HOLYOKE-#V10613705 - WYCKOFF COUNTRY CLUB 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

Printed on Recycled Paper

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

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**:** V10613705 River Basin: CONNECTICUT

Registrant: WYCKOFF COUNTRY CLUB INC

Use: Golf

Average Volume per Day (MGD): 0.04 Total Annual Volume (MGY): 6.12
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
WM3770-01S	S	WYCKOFF IRRIGATN 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. 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

HUNTINGTON WATER DEPARTMENT
P.O. BOX 301
HUNTINGTON, MA 01050

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 # ***10414301*** 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/HUNTINGTON-# 10414301-HUNTINGTON 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

Printed on Recycled Paper

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

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: 10414301 River Basin: WESTFIELD

Registrant: HUNTINGTON WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.12 Total Annual Volume (MGY): 44.57
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
1143000-01G	G	WELL #1
1143000-02G	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

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

LANESBOROUGH VILLAGE WATER DISTRICT
P O BOX 1504
BRIDGE STREET
LANESBOROUGH, MA 01237

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 # ***10214801*** 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/LANESBOROUGH-# 10214801-LANESBOROUGH VILLAGE 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

Printed on Recycled Paper

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

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: 10214801 River Basin: HOUSATONIC

Registrant: LANESBOROUGH VILLAGE WATER DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.21 Total Annual Volume (MGY): 75.87
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
1148000-01G	G	#1 WELL - BRIDGE STREET
1148000-02G	G	#2 WELL - MINER ROAD

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

ONYX SPECIALTY PAPERS INC
40 WILLOW ST
SOUTH LEE, MA 01260

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 # ***10215001*** 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 LEE-# 10215001-ONYX SPECIALTY PAPERS 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

Printed on Recycled Paper

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

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**:** 10215001 River Basin: HOUSATONIC

Registrant: ONYX SPECIALTY PAPERS INC

Use: Industry

Average Volume per Day (MGD): 2.21 Total Annual Volume (MGY): 806.65
Days of Operation: 365

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

Number of registered withdrawal points: 6
Groundwater: 2 Surface water: 4

Source ID	Type	Source Name
WM3716-01G	G	MORART WAREHOUSE WELL
WM3716-02G	G	BOILER HOUSE SPRING
WM3716-03S	S	BEATER RM BASEMENT HOU.RI
WM3716-04S	S	BEARTOWN BROOK WEST BRAN.
WM3716-05S	S	BEARTOWN BROOK, EAST BRAN
WM3716-06S	S	RIVER PUMP HOUSE, HOU RIV

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

LEE WATER DEPARTMENT
32 MAIN STREET
LEE, MA 01238

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 # ***10215003*** 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/LEE-# 10215003-LEE 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

Printed on Recycled Paper

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

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: 10215003 River Basin: HOUSATONIC

Registrant: LEE WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 1.13 Total Annual Volume (MGY): 412.45
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
1150000-01S	S	UPPER RESERVOIR
1150000-02S	S	VANETTI 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

LAUREL LAKE WATER POWER LLC
125 FAIRVIEW ST
LEE, MA 01238

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 # ***10215004*** 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/LEE-# 10215004-LAUREL LAKE WATER POWER 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

Printed on Recycled Paper

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

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**:** 10215004 River Basin: HOUSATONIC

Registrant: LAUREL LAKE WATER POWER LLC

Use: Industry

Average Volume per Day (MGD): 1.40 Total Annual Volume (MGY): 511.00
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
WM12464-01S	S	Laurel Lake

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

LENOX WATER DEPARTMENT
275 MAIN STREET
LENOX, MA 01240

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 # ***10215201*** 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/LENOX-# 10215201-LENOX 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

Printed on Recycled Paper

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

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: 10215201 River Basin: HOUSATONIC

Registrant: LENOX WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.76 Total Annual Volume (MGY): 278.27
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
1152000-01S	S	LOWER ROOT RESERVOIR
1152000-04S	S	UPPER ROOT 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

MIRAVAL BERKSHIRES
55 LEE ROAD
LENOX, MA 01240

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 #***V10215202*** 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/ LENOX-#V10215202 - MIRAVAL BERKSHIRES-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

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

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**:** V10215202 River Basin: HOUSATONIC

Registrant: MIRAVAL BERKSHIRES

Use: Golf

Average Volume per Day (MGD): 0.02 Total Annual Volume (MGY): 3.72
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
WM3720-01S	S	CRANWELL 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. 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

TWIN HILLS COUNTRY CLUB
700 WOLF SWAMP ROAD
LONGMEADOW, MA 01106

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 #***10615901*** 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/ LONGMEADOW-#10615901 - TWIN HILLS 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

Printed on Recycled Paper

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

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**:** 10615901 River Basin: CONNECTICUT

Registrant: TWIN HILLS COUNTRY CLUB

Use: Golf

Average Volume per Day (MGD): 0.10 Total Annual Volume (MGY): 18.40
Days of Operation: 184

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

Number of registered withdrawal points: 4
Groundwater: 2 Surface water: 2

Source ID	Type	Source Name
WM3776-01G	G	ROCK WELL #1
WM3776-01S	S	POND # 9
WM3776-02G	G	ROCK WELL #2
WM3776-02S	S	POND # 10

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

LONGMEADOW COUNTRY CLUB
400 SHAKER ROAD
LONGMEADOW, MA 01106

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 #***10615902*** 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/ LONGMEADOW-#10615902 - LONGMEADOW 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

Printed on Recycled Paper

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

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**:** 10615902 River Basin: CONNECTICUT

Registrant: LONGMEADOW COUNTRY CLUB

Use: Golf

Average Volume per Day (MGD): 0.10 Total Annual Volume (MGY): 18.40
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
WM3777-01S	S	LONGMEADOW CC 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. 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

MONSON WATER & SEWER DEPARTMENT
198 MAIN STREET
PO BOX 388
MONSON, MA 01057-0388

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 # ***10819101*** 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/MONSON-# 10819101-MONSON 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

Printed on Recycled Paper

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

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: 10819101 River Basin: CHICOPEE

Registrant: MONSON WATER & SEWER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.92 Total Annual Volume (MGY): 336.49
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
1191000-03G	G	BETHANY ROAD WELL
1191000-04G	G	PALMER ROAD WELL
1191000-05G	G	BUNYAN ROAD WELL
1191000-06G	G	Bunyan Rd Replacement #1
1191000-07G	G	Bunyan Rd Replacement #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 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

June 11, 2026

TURNERS FALLS FIRE DISTRICT
226 MILLERS FALLS ROAD
TURNERS FALLS, MA 01376-0271

Dear Registrant:

Please find the attached documents:

- A description of the Massachusetts Water Management Act Registration Statement Contents and Conditions for 2026-2035; and
- The REVISED Water Management Act Registrant Statement #*1-06-192.01* 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/MONTAGUE-# 10619201-TURNERS FALLS FIRE DISTRICT- WMA-Registration -2026-06-11_Revised

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 Public Water Suppliers
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 June 11, 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 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:

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.

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: 10619201 River Basin: CONNECTICUT

Registrant: TURNERS FALLS FIRE DISTRICT
Fifth St
PO Box 271
Tuners Falls, MA 01376

Use: Public Water Supply

Average Volume per Day (MGD): 1.04 Total Annual Volume (MGY): 379.77
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2035
Revised Date: June 11, 2026

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

Source ID	Type	Source Name
1192000-02S	S	LAKE PLEASANT

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;
(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.



June 11, 2026

Kathleen Baskin, Assistant Commissioner
Bureau of Water Resources

Date

Attachments:
Endnotes

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
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

ERVING TOWN OF
12 EAST MAIN ST
ERVING, MA 01344

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 # ***10719201*** 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/MILLERS FALLS-# 10719201-ERVING TOWN OF- 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

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

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**:** 10719201 River Basin: MILLERS

Registrant: ERVING TOWN OF

Use: Industry

Average Volume per Day (MGD): 0.14 Total Annual Volume (MGY): 51.10
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
WM12564-01S	S	Millers River Intake 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

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

NORTH ADAMS WATER DEPARTMENT
CITY HALL
10 MAIN STREET
NORTH ADAMS, MA 01247

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 # ***10120901*** 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 ADAMS-# 10120901-NORTH ADAMS 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

Printed on Recycled Paper

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

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: 10120901 River Basin: HUDSON

Registrant: NORTH ADAMS WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 2.80 Total Annual Volume (MGY): 1022.00
Days of Operation: 365 days

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

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

Source ID	Type	Source Name
1209000-01G	G	GREYLOCK WELL
1209000-01S	S	NOTCH RESERVOIR
1209000-02S	S	BROAD BROOK
1209000-04S	S	MOUNT WILLIAMS 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

NORTHAMPTON WATER DEPARTMENT
125 LOCUST STREET
NORTHAMPTON, MA 01060

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 # ***10621401*** 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/NORTHAMPTON-# 10621401-NORTHAMPTON 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

Printed on Recycled Paper

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

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: 10621401 River Basin: CONNECTICUT

Registrant: NORTHAMPTON WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 3.96 Total Annual Volume (MGY): 1445.78
Days of Operation: 365 days

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

Number of registered withdrawal points: 6
Groundwater: 2 Surface water: 4

Source ID	Type	Source Name
1214000-01G	G	WELL #1
1214000-01S	S	MOUNTAIN ST. RESERVOIR
1214000-02G	G	WELL #2 WELL
1214000-02S	S	ROBERTS MEADOW BROOK RES.
1214000-03S	S	FRANCIS RYAN RESERVOIR
1214000-04S	S	WEST WHATELY 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

ORANGE WATER DEPARTMENT
16 WEST MYRTLE STREET
PO BOX 267
ORANGE, MA 01364

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 # ***10722301*** 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/ORANGE-# 10722301-ORANGE 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

Printed on Recycled Paper

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

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: 10722301 River Basin: MILLERS

Registrant: ORANGE WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.63 Total Annual Volume (MGY): 230.51
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
1223000-01G	G	MINUTE TAPIOCA WELL
1223000-02G	G	MAGEE'S MEADOW WELL
1223000-04G	G	DANIAL SHAYS HWY. WELL
1223000-05G	G	REPLACEMENT 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

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

THREE RIVERS FIRE DISTRICT
P O BOX 182
6 THREE RIVERS ROAD
THREE RIVERS, MA 01080

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 # ***10822701*** 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/THREE RIVERS-# 10822701-THREE RIVERS FIRE 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

Printed on Recycled Paper

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

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: 10822701 River Basin: CHICOPEE

Registrant: THREE RIVERS FIRE DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.40 Total Annual Volume (MGY): 144.20
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
1227003-01G	G	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

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

PALMER WATER DEPARTMENT
10 WALNUT STREET
PALMER, MA 01069

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 # ***10822702*** 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/PALMER-# 10822702-PALMER 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

Printed on Recycled Paper

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

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: 10822702 River Basin: CHICOPEE

Registrant: PALMER WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.65 Total Annual Volume (MGY): 237.33
Days of Operation: 365 days

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

Number of registered withdrawal points: 4
Groundwater: 2 Surface water: 2

Source ID	Type	Source Name
1227000-01G	G	GALAXY WELLFIELD
1227000-01S	S	UPPER GRAVES BROOK RES.
1227000-02G	G	GRAVEL PACK WELL #2
1227000-02S	S	LOWER GRAVES BROOK RES.

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

BONDSVILLE FIRE & WATER DISTRICT
PO BOX 179
PALMER, MA 01069

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 # ***10822704*** 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/PALMER-# 10822704-BONDSVILLE FIRE & 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

Printed on Recycled Paper

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

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: 10822704 River Basin: CHICOPEE

Registrant: BONDSVILLE FIRE & WATER DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.36 Total Annual Volume (MGY): 129.82
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
1227002-01G	G	WELL #1
1227002-02G	G	WELL #2
1227002-03G	G	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

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

PITTSFIELD WATER DEPARTMENT
DEPT OF PUBLIC UTILITIES
CITY HALL 70 ALLEN ST
PITTSFIELD, MA 01201

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 # ***10223601*** 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/PITTSFIELD-# 10223601-PITTSFIELD 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

Printed on Recycled Paper

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

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: 10223601 River Basin: HOUSATONIC

Registrant: PITTSFIELD WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 13.50 Total Annual Volume (MGY): 4932.40
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
1236000-01S	S	ASHLEY LAKE RESERVOIR
1236000-02S	S	FARNHAM RESERVOIR
1236000-03S	S	LOWER ASHLEY INTAKE RESER
1236000-04S	S	SACKET RESERVOIR
1236000-06S	S	CLEVELAND RESERVOIR
1236000-07S	S	SANDWASH 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

PITTSFIELD COUNTRY CLUB
P O BOX 538
PITTSFIELD, MA 01202

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 #***10223603*** 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/ PITTSFIELD-#10223603 - PITTSFIELD 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

Printed on Recycled Paper

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

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**:** 10223603 River Basin: HOUSATONIC

Registrant: PITTSFIELD COUNTRY CLUB

Use: Golf

Average Volume per Day (MGD): 0.12 Total Annual Volume (MGY): 20.87
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
WM3724-01S	S	MOOREWOOD LAKE

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

RUSSELL WATER DEPARTMENT
200 MAIN STREET
PO BOX 131
RUSSELL, MA 01071-0131

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 # ***10425601*** 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/RUSSELL-# 10425601-RUSSELL 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

Printed on Recycled Paper

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

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: 10425601 River Basin: WESTFIELD

Registrant: RUSSELL WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.29 Total Annual Volume (MGY): 104.69
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
1256000-01G	G	WELL #1
1256000-01S	S	BLACK 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

MOUNTAIN WATER SYSTEMS INC
1080 SOUTH UNDERMOUNTAIN ROAD
PO BOX 295
SHEFFIELD, MA 01257

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 # ***10226701*** 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/SHEFFIELD-# 10226701-MOUNTAIN WATER SYSTEMS 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

Printed on Recycled Paper

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

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: 10226701 River Basin: HOUSATONIC

Registrant: MOUNTAIN WATER SYSTEMS INC

Use: Public Water Supply

Average Volume per Day (MGD): 0.13 Total Annual Volume (MGY): 48.06
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
1267000-01G	G	FARMHOUSE SPRING
1267000-02G	G	RED ROCK SPRING
1267000-03G	G	SMITH SPRING
1267000-04G	G	WELL OLD MASS PIKE
1267000-05G	G	HUBBARD BROOK WELL
1267000-06G	G	BARREL SPRING

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

SHELBURNE FALLS FIRE DISTRICT
121 STATE STREET
SHELBURNE FALLS, MA 01370

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 # ***10326801*** 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/SHELBURNE FALLS-# 10326801-SHELBURNE FALLS FIRE 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

Printed on Recycled Paper

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

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: 10326801 River Basin: DEERFIELD

Registrant: SHELBURNE FALLS FIRE DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.21 Total Annual Volume (MGY): 76.52
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
1268000-01S	S	FOX BROOK RESERVOIR
1268000-03G	G	Replacement for 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

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

SOUTH HADLEY FIRE DISTRICT 2 WATER DEPT.
20 WOODBRIDGE STREET
SOUTH HADLEY, MA 01075

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 # ***10627502*** 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 HADLEY-# 10627502-SOUTH HADLEY FIRE DISTRICT 2 WATER DEPT.- 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

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

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: 10627502 River Basin: CONNECTICUT

Registrant: SOUTH HADLEY FIRE DISTRICT 2 WATER DEPT.

Use: Public Water Supply

Average Volume per Day (MGD): 0.68 Total Annual Volume (MGY): 248.98
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
1275001-01S	S	LYTHIA RESERVOIR
1275001-03G	G	ELMER BROOK DUG WELL #1
1275001-03S	G	ELMER BROOK DUG WELL #2
1275001-04G	G	DRY BROOK WELL
1275001-05G	G	Dry Brook Replacement

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

SOUTHAMPTON COUNTRY CLUB
PO BOX 206
SOUTHAMPTON, MA 01073

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 #***10627602*** 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/ SOUTHAMPTON-#10627602 - SOUTHAMPTON 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

Printed on Recycled Paper

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

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**:** 10627602 River Basin: CONNECTICUT

Registrant: SOUTHAMPTON COUNTRY CLUB

Use: Golf

Average Volume per Day (MGD): 0.10 Total Annual Volume (MGY): 18.00
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
WM3785-01S	S	MOOSE BROOK PUMPHOUSE

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

SOUTHWICK WATER DEPARTMENT
454 COLLEGE HIGHWAY
SOUTHWICK, MA 01077

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 # ***10427905*** 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/SOUTHWICK-# 10427905-SOUTHWICK 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

Printed on Recycled Paper

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

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: 10427905 River Basin: WESTFIELD

Registrant: SOUTHWICK WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.45 Total Annual Volume (MGY): 163.26
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
1279000-01G	G	WELL #1 GREAT BROOK
1279000-02G	G	Well #1 Great Brook 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 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

October 24, 2023

SPRINGFIELD WATER AND SEWER COMMISSION
36 COURT STREET
SPRINGFIELD, MA 01101-0995

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 # ***10428101*** 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/SPRINGFIELD-# 10428101-SPRINGFIELD WATER AND SEWER COMMISSION- WMA-Registration with NV-Revised 10-24-2023

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

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

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: 10428101 River Basin: WESTFIELD

Registrant: SPRINGFIELD WATER AND SEWER COMMISSION

Use: Public Water Supply

Average Volume per Day (MGD): 37.20* Total Annual Volume (MGY): 13578.0*
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033
Revised: October 24, 2023

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

Source ID	Type	Source Name
1281000-02S	S	COBBLE MOUNTAIN RESERVOIR
1281000-04S	S	BORDEN BROOK RESERVOIR
1281000-05S	S	Sedimentation Basin
1281000-07S	S	INTAKE RESERVOIR

*This registration includes normal variation in the amount of 1.9 MGD pursuant to the Water Management Act regulations in effect at 310 CMR 36.39 in 2004 when Springfield Water and Sewer Commission's (SWSC) normal variation was recognized by the Department. SWSC's total authorized withdrawal volume from the Westfield Basin is a combination of the average daily 1981-1985 withdrawal volume of 37.2 MGD plus normal variation of 1.9 MGD for a total authorized withdrawal volume of 39.10 MGD.

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.



October 24, 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

SPRINGFIELD WATER AND SEWER COMMISSION
36 COURT STREET
SPRINGFIELD, MA 01101-0995

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 # ***10828101*** 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/SPRINGFIELD-# 10828101-SPRINGFIELD WATER AND SEWER COMMISSION- 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

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

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: 10828101 River Basin: CHICOPEE

Registrant: SPRINGFIELD WATER AND SEWER COMMISSION

Use: Public Water Supply

Average Volume per Day (MGD): 1.82 Total Annual Volume (MGY): 664.07
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
1281000-06S	S	LUDLOW 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

STOCKBRIDGE WATER DEPARTMENT
WEST MAIN STREET
P O BOX 417
STOCKBRIDGE, MA 01262-0417

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 # ***10228301*** 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/STOCKBRIDGE-# 10228301-STOCKBRIDGE 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

Printed on Recycled Paper

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

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: 10228301 River Basin: HOUSATONIC

Registrant: STOCKBRIDGE WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.29 Total Annual Volume (MGY): 105.90
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
1283003-01S	S	LAKE AVERIC (ECHO 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

RICHARD CRONIN AQUATIC RESOURCE CENTER
CRONIN NATIONAL SALMON STATION
51 EAST PLUMTREE ROAD
SUNDERLAND, MA 01375

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 # ***10628901*** 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/SUNDERLAND-# 10628901-SUNDERLAND NATIONAL SALMON STATION- 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

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

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**:** 10628901 River Basin: CONNECTICUT

Registrant: RICHARD CRONIN AQUATIC RESOURCE CENTER

Use: Fish Hatchery

Average Volume per Day (MGD): 0.28 Total Annual Volume (MGY): 102.80
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
WM3787-03G	G	WELL #3
WM3787-04G	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 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

DELTA SAND AND GRAVEL INC
PO BOX 395
SUNDERLAND, MA 01375

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 # ***10628904*** 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/SUNDERLAND-# 10628904-DELTA SAND AND 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

Printed on Recycled Paper

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

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**:** 10628904 River Basin: CONNECTICUT

Registrant: DELTA SAND AND GRAVEL INC

Use: Industry

Average Volume per Day (MGD): 0.11 Total Annual Volume (MGY): 41.25
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
WM3790-01G	G	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

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

SUNDERLAND WATER DISTRICT
12 SCHOOL STREET
SUNDERLAND, MA 01375

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 # ***10628905*** 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/SUNDERLAND-# 10628905-SUNDERLAND 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

Printed on Recycled Paper

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

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: 10628905 River Basin: CONNECTICUT

Registrant: SUNDERLAND WATER DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.24 Total Annual Volume (MGY): 88.40
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
1289000-01G	G	RALICKI WELL
1289000-03G	G	HUBBARD 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

SUNDERLAND STATE FISH HATCHERY
MCLAUGHLIN STATE FISH HATCHERY
90 EAST ST.
BELCHERTOWN, MA 01007

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 # ***10628907*** 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/SUNDERLAND-# 10628907-SUNDERLAND STATE FISH HATCHERY- 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

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

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**:** 10628907 River Basin: CONNECTICUT

Registrant: SUNDERLAND STATE FISH HATCHERY

Use: Fish Hatchery

Average Volume per Day (MGD): 2.79 Total Annual Volume (MGY): 1018.35
Days of Operation: 365

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

Number of registered withdrawal points: 6
Groundwater: 4 Surface water: 2

Source ID	Type	Source Name
WM4661-01G	G	WELL AND CASING
WM4661-01S	S	BITZER SW DIVERSION #2
WM4661-02G	G	MULTIPLE DRIVE POINTS
WM4661-02S	S	SURFACE WATER DIVERSIONS
WM4661-03G	G	BITZER SW DIVERSION #1
WM4661-04G	G	MULTIPLE DRIVE POINTS

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

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 # ***10830901*** 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/WARE-# 10830901-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

Printed on Recycled Paper

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

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: 10830901 River Basin: CHICOPEE

Registrant: MWRA

Use: Public Water Supply

Average Volume per Day (MGD): 186.70* Total Annual Volume (MGY): 68145.50*
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
6000000-02S	S	Quabbin Aqueduct-Shaft 12
6000000-06S	S	Ware River Intake
6000000-	S	Chicopee Valley Aqueduct

*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

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

WARE WATER DEPARTMENT
4 1/2 CHURCH ST
WARE, MA 01082

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 # ***10830902*** 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/WARE-# 10830902-WARE 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

Printed on Recycled Paper

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

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: 10830902 River Basin: CHICOPEE

Registrant: WARE WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.95 Total Annual Volume (MGY): 346.80
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
1309000-01G	G	WELL #1, #2, and #3
1309000-02G	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
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

WARREN WATER DISTRICT
PO BOX 536
WARREN, MA 01083-0536

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 # ***10831102*** 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/WARREN-# 10831102-WARREN 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

Printed on Recycled Paper

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

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: 10831102 River Basin: CHICOPEE

Registrant: WARREN WATER DISTRICT

Use: Public Water Supply

Average Volume per Day (MGD): 0.20 Total Annual Volume (MGY): 71.60
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
1311000-01G	G	TUBULAR WELLS

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

January 23, 2026

73 CHESTNUT REALTY, LLC
Attn: James Pesuit
150 Front Street
West Springfield, MA 01089

RE: West Springfield-WMA WM01
MILL CITY, LLC
Registration #10432501
26-WM01-0001-APP

Dear Mr. Pesuit:

The Massachusetts Department of Environmental Protection (MassDEP) received a WM01 registration transfer application on January 14, 2026, to transfer MILL CITY, LLC (10432501) to 73 CHESTNUT REALTY, LLC. According to the transfer document (WM01), 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 #10432501 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
mass.gov.sharepoint.com\ DWPArchive\WERO\WEST SPRINGFIELD-WMA Registration 10432501-Registration Transfer-1-23-2026

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 January 20, 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.

[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 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**:** 10432501 River Basin: WESTFIELD

Registrant: 73 CHESTNUT REALTY, LLC
150 Front Street
West Springfield, MA 01089

Use: Industry

Average Volume per Day (MGD): 0.15 Total Annual Volume (MGY): 55.83
Days of Operation: 365

Effective Date: January 23, 2026 Expiration Date: April 7, 2035

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

Source ID	Type	Source Name
WM3740-01S	S	WESTFIELD RIVER

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 January 20, 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.

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

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:

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.



January 23, 2026

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

WEST SPRINGFIELD WATER DEPARTMENT
26 CENTRAL STREET STE 17
WEST SPRINGFIELD, MA 01089

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 # ***10432503*** 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 SPRINGFIELD-# 10432503-WEST SPRINGFIELD 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

Printed on Recycled Paper

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

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: 10432503 River Basin: WESTFIELD

Registrant: WEST SPRINGFIELD WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 3.89 Total Annual Volume (MGY): 1418.70
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
1325000-01G	G	SOUTHWICK WELL #1
1325000-01S	S	BEAR HOLE RESERVOIR
1325000-02G	G	SOUTHWICK WELL #2
1325000-03G	G	SOUTHWICK WELL #3
1325000-04G	G	SOUTHWICK 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
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

April 6, 2023

FOUNTAIN PLATING CO INC
492 PROSPECT AVENUE
WEST SPRINGFIELD, MA 01089-4559

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 # ***10632501*** 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 SPRINGFIELD-# 10632501-FOUNTAIN PLATING CO 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

Printed on Recycled Paper

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

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**:** 10632501 River Basin: CONNECTICUT

Registrant: FOUNTAIN PLATING CO INC

Use: Industry

Average Volume per Day (MGD): 0.12 Total Annual Volume (MGY): 44.56
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
WM3793-01G	G	FP WELL #3
WM3793-02G	G	FP WELL #4
WM3793-03G	G	FP 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

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

WORONOCO REALTY COMPANY
375 CONMMERCE PARK ROAD
NORTH KINGSTON, RI 02852

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 # ***10425602*** 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/WESTFIELD-# 10425602-WORONOCO REALTY 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

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

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**:** 10425602 River Basin: WESTFIELD

Registrant: WORONOCO REALTY COMPANY

Use: Industry

Average Volume per Day (MGD): 1.88 Total Annual Volume (MGY): 684.66
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
WM9241-01S	S	Westfield River A
WM9241-02S	S	Westfield River 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

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

WESTFIELD WATER DEPARTMENT
59 COURT STREET
WESTFIELD, MA 01085

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 # ***10432901*** 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/WESTFIELD-# 10432901-WESTFIELD 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

Printed on Recycled Paper

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

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: 10432901 River Basin: WESTFIELD

Registrant: WESTFIELD WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 6.11 Total Annual Volume (MGY): 2231.45
Days of Operation: 365 days

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

Number of registered withdrawal points: 9
Groundwater: 8 Surface water: 1

Source ID	Type	Source Name
1329000-01G	G	WELL #1
1329000-02G	G	WELL #2
1329000-02S	S	GRANVILLE RESERVOIR
1329000-03G	G	WELL #3
1329000-04G	G	WELL #4
1329000-05G	G	WELL #5
1329000-06G	G	WELL #6
1329000-07G	G	WELL #7
1329000-08G	G	WELL #8

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

DAUPHINAIS & SON INC
2420 BOSTON ROAD
WILBRAHAM, MA 01095

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 # ***10833901*** 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/WILBRAHAM-# 10833901-DAUPHINAIS & SON 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

Printed on Recycled Paper

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

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**:** 10833901 River Basin: CHICOPEE

Registrant: DAUPHINAIS & SON INC

Use: Industry

Average Volume per Day (MGD): 0.34 Total Annual Volume (MGY): 81.74
Days of Operation: 244

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
WM3807-01S	S	Chicopee 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

WILLIAMSBURG WATER DEPARTMENT
141 MAIN STREET
PO BOX 447
HAYDENVILLE, MA 01039

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 # ***10634001*** 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/HAYDENVILLE-# 10634001-WILLIAMSBURG 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

Printed on Recycled Paper

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

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: 10634001 River Basin: CONNECTICUT

Registrant: WILLIAMSBURG WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.20 Total Annual Volume (MGY): 74.15
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
1340000-01G	G	SOUTH ST WELL #1
1340000-02G	G	SOUTH ST. 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

WILLIAMSTOWN WATER DEPARTMENT
675 SIMONDS ROAD
WILLIAMSTOWN, MA 01267

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 # ***10134101*** 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/WILLIAMSTOWN-# 10134101-WILLIAMSTOWN 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

Printed on Recycled Paper

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

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: 10134101 River Basin: HUDSON

Registrant: WILLIAMSTOWN WATER DEPARTMENT

Use: Public Water Supply

Average Volume per Day (MGD): 0.90 Total Annual Volume (MGY): 328.50
Days of Operation: 365 days

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
1341000-01S	S	RATTLESNAKE RESERVOIR
1341000-02G	G	WELL #2
1341000-04G	G	REPLACEMENT 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

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 Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

May 28, 2025

Rachel Monette
Nourse Farms Acquisition, LLC
41 River Road
South Deerfield, MA 01373

Re: Nourse Farms – WMA BRP WM01
WMA Registration #10633702
Action: Registration Transfer

Dear Ms. Monette:

In response to your request to transfer a portion of Water Management Act (WMA) Registration #10607401 from Nourse Farms, Inc. to Nourse Farms Acquisition, LLC, please find the enclosed documents:

- Water Management Act Registration #***10633702*** for 2025-2033, and a covering description of the Registration Statement, transferred from Nourse Farms, Inc. to Nourse Farms Acquisition, LLC.

According to the transfer document (BRP WM 01) a portion of the registered withdrawal volume and one registered withdrawal point (Home Pump #2- WM3753-02S) is being transferred from Registration #10607401. For the volume being transferred and the point being transferred there will be no change in the use of authorized water withdrawal volumes, in the discharge point of the water after use or in the number of days per year that the water will be withdrawn.

In addition, WMA Program staff will be reaching out soon to review and renew WMA Permit #9P2-1-06-074.02 currently permitted to Nourse Farms, Inc. This review will result in changes necessary to reflect the property transfer acknowledged in this Registration Statement.

If you have any questions regarding the Registration Statement, please contact Duane LeVangie at duane.levangie@mass.gov or (617) 780-1962 or Brittany Segill at Brittany.segill@mass.gov (preferred) or (617) 960-6598.

Sincerely,

Duane LeVangie
Water Management Program Chief
Bureau of Water Resources

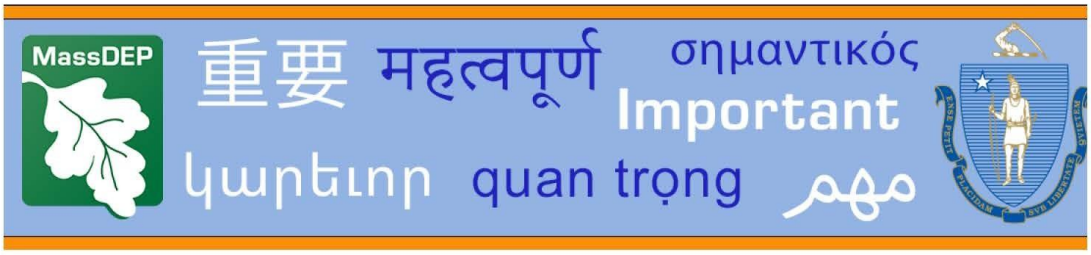
Enclosures

This information is available in alternate format. Please contact MassDEP at 617-292-5500.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

Cc: Duane LeVangie, MassDEP-WMA Program, Boston

https://massgov.sharepoint.com/sites/DEP-BWR/DWP WMA/Registration Renewal 2023/ Registration Statement/SOUTH DEERFIELD -106337.02 - NOURSE FARMS ACQUISITION LLC- WMA Registration Transfer -05.28.2025



Communication for Non-English-Speaking Parties

This document is important and should be translated immediately.

If you need this document translated, please contact MassDEP's Director of Environmental Justice at the telephone number listed below.

Español Spanish

Este documento es importante y debe ser traducido inmediatamente. Si necesita traducir este documento, póngase en contacto con el Director de Justicia Ambiental de MassDEP (*MassDEP's Director of Environmental Justice*) en el número de teléfono que figura más abajo.

Português Portuguese

Este documento é importante e deve ser traduzido imediatamente. Se você precisar traduzir este documento, entre em contato com o Diretor de Justiça Ambiental do MassDEP no número de telefone listado abaixo.

繁體中文 Chinese Traditional

本文檔很重要，需要即刻進行翻譯。
如需對本文檔進行翻譯，請透過如下列示電話號碼與 MassDEP 的環境司法總監聯絡。

简体中文 Chinese Simplified

这份文件非常重要，需要立即翻译。
如果您需要翻译这份文件，请通过下方电话与 MassDEP 环境司法主任联系。

Ayisyen Kreyòl Haitian Creole

Dokiman sa a enpòtan epi yo ta dwe tradui l imedyatman. Si w bezwen tradui dokiman sa a, tanpri kontakte Direktè. Jistis Anviwònmantal MassDEP a nan nimewo telefòn ki endike anba a.

Việt Vietnamese

Tài liệu này và quan trọng và phải được dịch ngay. Nếu quý vị cần bản dịch của tài liệu này, vui lòng liên hệ với Giám Đốc Phòng Công Lý Môi Trường của MassDEP theo số điện thoại được liệt kê bên dưới.

ប្រទេសកម្ពុជា Khmer/Cambodian

ឯកសារនេះមានសារៈសំខាន់
ហើយគប្បីតួរត្រូវបានបកប្រែភ្លាមៗ.
ប្រសិនបើអ្នកត្រូវការអោយឯកសារនេះបកប្រែ
សូមទាក់ទងនាយកផ្នែកយុត្តិធម៌បរិស្ថានរបស់
MassDEPតាមរយៈលេខទូរស័ព្ទដែលបានរាយដូចខាងក្រោម។

Kriolu Kabuverdianu Cape Verdean

Es dokumentu sta important i tenki ser tradusidu immediatamenti. Se nho ta presisa ke es dokumentu sta tradisidu, por favor kontata O Diretor di Justisia di Environman di DEP ku es numero di telifoni menxionadu di baixo.

Contact Deneen Simpson 857-406-0738
Massachusetts Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114
TTY# MassRelay Service 1-800-439-2370 • https://www.mass.gov/environmental-justice
(Version revised 8.2.2023) 310 CMR 1.03(5)(a)

Русский Russian

Это чрезвычайно важный документ, и он должен быть немедленно переведен. Если вам нужен перевод этого документа, обратитесь к директору Департамента экологического правосудия MassDEP (MassDEP's Director of Environmental Justice) по телефону, указанному ниже.

العربية Arabic

هذه الوثيقة مهمة وتجب ترجمتها على الفور.

إذا كنت بحاجة إلى ترجمة هذه الوثيقة، فيرجى الاتصال بمدير العدالة البيئية في MassDEP على رقم الهاتف المذكور أدناه.

한국어 Korean

이 문서는 중대하므로 즉시 번역되어야 합니다.
본 문서 번역이 필요하신 경우, 매사추세츠 환경보호부의 "환경정의" 담당자 분께 문의하십시오. 전화번호는 아래와 같습니다.

հայերեն Armenian

Այս փաստաթուղթը կարևոր է, և պետք է անհապաղ թարգմանել այն:
Եթե Ձեզ անհրաժեշտ է թարգմանել այս փաստաթուղթը, դիմեք Մասաչուսեթսի շրջակա միջավայրի պահպանության նախարարության (MassDEP) Բնապահպանական հարցերով արդարադատության ղեկավարին (Director of Environmental Justice)՝ ստորև նշված հեռախոսահամարով

فارسی Farsi Persian

این نوشتار بسیار مهمی است و باید فوراً ترجمه شود.
اگر نیاز به ترجمه این نوشتار دارید لطفاً با مدیر عدالت محیط زیستی MassDEP در شماره تلفن ذکر شده زیر تماس بگیرید.

Français French

Ce document est important et doit être traduit immédiatement. Si vous avez besoin d'une traduction de ce document, veuillez contacter le directeur de la justice environnementale du MassDEP au numéro de téléphone indiqué ci-dessous.

Deutsch German

Dieses Dokument ist wichtig und muss sofort übersetzt werden. Wenn Sie eine Übersetzung dieses Dokuments benötigen, wenden Sie sich bitte an MassDEP's Director of Environmental Justice *(Direktor für Umweltgerechtigkeit in Massachusetts)* unter der unten angegebenen Telefonnummer.

Ελληνική Greek

Το έγγραφο αυτό είναι πολύ σημαντικό και πρέπει να μεταφραστεί αμέσως. Αν χρειάζεστε μετάφραση του εγγράφου αυτού, παρακαλώ επικοινωνήστε με τον Διευθυντή του Τμήματος Περιβαλλοντικής Δικαιοσύνης της Μασαχουσέτης στον αριθμό τηλεφώνου που αναγράφεται παρακάτω

Italiano Italian

Questo documento è importante e deve essere tradotto immediatamente. Se hai bisogno di tradurre questo documento, contatta il Direttore della Giustizia Ambientale di MassDEP al numero di telefono sotto indicato.

Język Polski Polish

Ten dokument jest ważny i powinien zostać niezwłocznie przetłumaczony. Jeśli potrzebne jest tłumaczenie tego dokumentu, należy skontaktować się z dyrektorem ds. sprawiedliwości środowiskowej MassDEP pod numerem telefonu podanym poniżej.

हिन्दी Hindi

यह दस्तावेज महत्वपूर्ण है और इसका अनुवाद तुरंत किया जाना चाहिए। यदि आपको इस दस्तावेज का अनुवाद कराने की जरूरत है, तो कृपया नीचे दिए गए टेलीफोन नंबर पर MassDEP के पर्यावरणीय न्याय निदेशक से संपर्क करें।

Contact Deneen Simpson 857-406-0738
Massachusetts Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114
TTY# MassRelay Service 1-800-439-2370 • https://www.mass.gov/environmental-justice
(Version revised 8.2.2023) 310 CMR 1.03(5)(a)

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street Suite 900 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 Water Withdrawals
Summary of Content and Conditions for 2025-2033

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 transferred Registration Statement authorizes continued withdrawals from May 28, 2025, 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). Attached is the transferred Registration Statement confirming 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.

This information is available in alternate format. Please contact MassDEP at 617-292-5500.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

TRANSFER 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: 10633702

River Basin: Connecticut

Registrant: Nourse Farms Acquisition, LLC

Use: Agriculture

Average Volume per Day (MGD): 0.06

Total Annual Volume (MGY): 11.04

Days of Operation: 184

Issuance Date: April 7, 2023
Revised Date: May 28, 2025

Expiration Date: April 7, 2033

Number of Registered Withdrawal Points: 1
Groundwater: 0
Surface Water: 1

Source ID	Type	Source Name
WM3753-02S	S	HOME PUMP #2

This information is available in alternate format. Please contact MassDEP at 617-292-5500.
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[1], 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 May 28, 2025, 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.

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

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.



May 28, 2025

Duane LeVangie
Water Management Program Chief
Bureau of Water Resources

Date