THE COMMONWEALTH OF MASSACHUSETTS
WATER RESOURCES COMMISSION

EIR Scope for Communities Seeking

APPROVAL FOR A WASTEWATER TRANSFER

Under the Interbasin Transfer Act

This scope replaces the WRC application form (1986/1992) "*Application for Approval of an Action to Increase Over the Present Rate of Interbasin Transfer*" and is required for transfers considered "significant" under the Act. The information requested here should be incorporated into the EIR required by the MEPA regulations, 301 CMR 11.03. Wherever possible, the applicant should provide this information in an electronic format.

This scope is only for that portion of the EIR that pertains to the INTERBASIN TRANSFER ACT. There may be other issues which need to be addressed in the EIR for a particular project. The MEPA program should be contacted to determine a comprehensive scope.

The Interbasin Transfer Act governs the transfer of water and wastewater between river basins within the Commonwealth. Any water transferred out of a river basin, either for water supply or wastewater treatment purposes, is no longer available to replenish the "donor" basin's rivers, aquifers, lakes or wetlands. The purpose of the Act is to assure that if an interbasin transfer does occur, the resources of the donor basin are not adversely impacted.

A wastewater transfer is a transfer of wastewater outside of a river basin for disposal. This includes only that wastewater which is generated from a water supply source within the river basin from which the wastewater will be transferred and any inflow and infiltration generated within that basin. Wastewater transfers can include the out-of-basin sewering of areas previously served by on-site and/or inbasin wastewater systems, enlargement of the capacity which facilitates an interbasin transfer of existing wastewater systems, the sewering of previously undeveloped areas which involves a new interbasin transfer, etc. The following scope outlines issues to be addressed in the EIR for these types of transfers. Consultation with DCR's Office of Water Resources (617-626-1366) is strongly recommended to tailor this scope to a specific proposal.

SUMMARY OF PROJECT

- Project Name
- Location
- Proponent Name, Address, Phone Number
- Primary Contact's Name, Address, Phone Number, Fax Number, Email Address

DESCRIPTION OF THE PROPOSED INTERBASIN TRANSFER

- Describe and explain the reasons for the proposed interbasin transfer.
- Provide the approximate timetable for the construction of the proposed transfer, including the estimated commencement date and the estimated completion date.
- Where applicable, describe the existing wastewater transfer system, including any factors limiting the ability to transfer wastewater out of basin, and the existing water supply sources from which the wastewater is generated. This should include the river basin location of these sources.
- Describe, in detail, the proposed interbasin transfer, including the maximum capacity, in millions of gallons per day (mgd) of the transfer facilities and the expected average daily transfer. Provide supporting information showing how the increased capacity was determined.
- Describe any proposed changes in existing structures and/or changes in operating rules of the wastewater system or changes in transfer constraints.
- Describe the operating schedule of the proposed interbasin transfer, including the time periods, amounts to be transferred and the duration of the transfer.
- Provide the name, exact location and river basin of the source(s) of the proposed transfer, including the subbasin(s).
- List the communities, sections of communities, sewer districts or other areas that will benefit from the proposed wastewater transfer.
- Provide a precise description of the location, including river basin location, of the wastewater discharge point.
- List the known users of associated resources, including agricultural operations and nurseries, whose use could be affected by the proposed transfer.
- Include a map of appropriate scale that clearly and accurately illustrates the information requested in this section. Wherever possible, MASSGIS data layers should be used.

OTHER PERMITS REQUIRED

- List the local, State or Federal agencies/commissions from which permits have been obtained or will be sought

INFORMATION NEEDED TO EVALUATE THIS PROJECT AGAINST THE SIX APPLICABLE CRITERIA OF THE INTERBASIN TRANSFER REGULATIONS, 313 CMR 4.05

Below, in **bold** the criteria for approval of an interbasin transfer are listed, as they appear in the regulations (313 CMR 4.05). Where appropriate, interpretations of some of the terminology in the

regulations approved by the WRC to apply to wastewater transfers, in order to evaluate specific criteria within the "spirit" of the Act, appear in *italics.*

1. That an environmental review pursuant to M.G.L. c. 30, §§61 and 62H, inclusive, has been complied with for the proposed increase.

- Information needed for Interbasin Transfer review should be provided within the context of the EIR.
- Provide a copy of the ENF, including copies of comments received.
- When issued, provide a copy of the Secretary of Environmental Affairs certificate stating that the EIR properly complies with MEPA and its regulations.

2. That all reasonable efforts have been made to identify and develop all viable water supply sources in the receiving area of the proposed water supply interbasin transfer

For the purposes of evaluating wastewater transfers against this criterion, the WRC has defined a viable local wastewater discharge source as a cost-effective, technologically feasible, environmentally sound wastewater treatment system which treats and discharges wastewater within the basin of origin, and has been approved for general use by DEP. Such systems can include, but are not limited to, conventional Title 5 systems, groundwater discharge systems, NPDES-regulated surface water discharge systems, alternative/innovative on-site systems or package treatment plants.

For the purposes of evaluating wastewater transfers against this criterion, the WRC has defined receiving area as the community(ies) or portion of community(ies) whose wastewater is collected for discharge out of basin via an interbasin transfer.

Describe in detail the efforts made to identify and develop all viable sources in the receiving area. Discuss wastewater alternatives considered, but rejected. State reasons for rejection. The discussion should include:

- Discussion of the DEP-approved facilities plan[1], if completed. A copy should also be submitted to WRC staff. If this plan is not completed, the EIR should evaluate potential in-basin sources of disposal, including Title 5, groundwater and surface water discharges, as described in DEP's Comprehensive Wastewater Management Planning[2] Guidance. Submit copies of any other relevant studies and reports which evaluated in-basin wastewater disposal to WRC staff. The proponent should also discuss the feasibility of implementing DEP's wastewater reuse policy.
- If the preferred alternative for wastewater disposal is a connection to an all ready existing out of basin sewer system, the proponent must provide documentation from the host system that there is sufficient capacity to accept the proposed wastewater flows.
- Describe the costs of developing in-basin wastewater disposal facilities within the area of the proposed transfer, as defined above for this criterion.

[1] Facilities Plans are also known as Comprehensive Water Management Plans, Comprehensive Water Resources Management Plans, and Integrated Water Resources Management Plans.
[2] See Footnote #1

- If cost is a reason given for rejection of an inbasin source, compare these costs with the production costs recently incurred elsewhere in the Commonwealth for similar wastewater disposal facilities. Refer to the Performance Standards, available from DCR's website: http://www.mass.gov/eea/docs/dcr/watersupply/intbasin/finalps.pdf.
- Describe the impact on in-basin streamflow that would result from the development of any viable in-basin wastewater disposal facilities in the area of the proposed transfer. Refer to 313 CMR 4.05 (5)(a) through (j).
- Discuss the feasibility of joining a regional or neighboring in-basin wastewater disposal facility in cities, towns or districts within the same basin location as the area of the proposed transfer. Are interconnections in place? If not, are such interconnections feasible?
- Provide documentation of the program to eliminate sources of inflow and infiltration (I/I). This program must meet the standards described under the Performance Standards for wastewater, available from DCR's website: http://www.mass.gov/eea/docs/dcr/watersupply/intbasin/finalps.pdf. Discuss the potential for eliminating enough I/I to eliminate the need for an interbasin transfer.

3. That all practical measures to conserve water have been taken in the receiving area
For the purposes of evaluating wastewater transfers against this criterion, the WRC has defined receiving area is the community(ies) or portion of community(ies) whose wastewater is collected for discharge out of basin via an interbasin transfer. To evaluate a wastewater transfer against this criterion, the WRC requires that the applicant:

- Indicate whether there are flow meters sufficient to document wastewater flows out of the basin of origin. Provide a map of appropriate scale clearly showing the meter location(s). (Use of regional sewer meters which document wastewater flows out of basin is acceptable where these meters are in place.) Provide documentation on calibration of these meters.
- Provide at least two years of data on the components of existing wastewater flow (sanitary, inflow, infiltration).
- Provide a copy of the DEP-approved Operation and Maintenance plan for the wastewater system.
- Where the applicant has control over the water supply system, describe the program for implementing a water conservation program based on the state water conservation standards.

4. That a comprehensive forestry management program which balances water yields, wildlife habitat and natural beauty on watershed lands of surface water supply sources, presently serving the receiving area and under control of the proponent has been implemented.

- This criterion does not apply to a wastewater transfer.

5. That reasonable instream flow in the river from which the water is transferred is maintained.
This part should describe the hydrologic characteristics of the river basin from which the wastewater is to be transferred from and any interdependent ground water regimen.

- Describe the proposed operating schedule for the interbasin transfer. This description should include variations throughout the seasons, the months, and the hours during a 24 hour period.
- Provide:
    (1) Delineation of the areas proposed to be sewered, if applicable, or areas where the capacity of an existing sewer is proposed to be enlarged and the area served by this facility.
    (2) Estimate of the amount of wastewater to be transferred, on both an average annual and peak flow basis. This should be based on the capacity of the proposed wastewater system, including but not limited to pumps, pipelines, tunnels, when properly operating to the maximum extent physically possible (i.e.without backups, overflows or other threats to public health and safety).
    (3) As required under Criterion #2, a DEP-approved facilities plan[3] which evaluates potential in-basin sources of disposal, including Title 5, groundwater and surface water discharges.
    (4) A map of the (sub)basin planning unit(s) to be used in the hydrologic analysis. These units should be determined in consultation with DCR's Office of Water Resources.
- Analyze and evaluate, in detail, the impact of the proposed interbasin transfer on water-dependent uses including:
    (1) The existing and proposed water use budget for each (sub)basin(s). The existing and proposed change in ground water level for each (sub)basin(s). The existing and proposed change in the unregulated 7Q10, August median, and 95% and 99% flow duration statistics for the stream or river draining the (sub)basin(s).
    (2) Effect on anadromous fisheries, specifically alewives, searun brook and brown trout, smelt and American shad.
    (3) Effect on resident fisheries.
    (4) Effect on wetlands and dependent flora and fauna.
    (5) Effects on water quality, recreational uses and aesthetic values, areas of critical environmental concern, areas protected under Article 97 of the Amendments to the Massachusetts Constitution, and designated scenic rivers.
    (6) Effect on existing and planned future water-dependent uses in the donor basin.
    (7) Effect on rare and endangered species of plants and animals
    (8) Effect on water use by agricultural operations, including nurseries.

6. In the case of groundwater withdrawals, the results of pumping tests will be used to indicate the impact of the proposed withdrawal on static water levels, the cone of depression, the potential impacts on adjacent wells and lake and pond levels, and the potential to affect instream values as listed in 313 CMR 4.05(5)(a) through (j).

- This criterion does not apply to a wastewater transfer.

7. That the communities and districts in the receiving area have adopted or are actively engaged in developing a local water resources management plan.

[3] See Footnote #1

For the purposes of evaluating wastewater transfers against this criterion, the WRC has defined receiving area is the community(ies) or portion of community(ies) whose wastewater is collected for discharge out of basin via an interbasin transfer.

- Provide the Local Water Resources Management Plan, or draft of the plan under development and the timeline for completion. Refer to the Interbasin Transfer Performance Standards, available from DCR's website: http://www.mass.gov/eea/docs/dcr/watersupply/intbasin/finalps.pdf, for the information to be included in a Local Water Resources Management Plan.

8. The Commission shall consider the impacts of all past, authorized or proposed transfers on streamflows in the donor basin.

- List and describe the impact of all past, authorized and other proposed transfers on the streamflow in the donor basin. This would include analysis of any water supply sources or sewer systems that have been recently developed or approved, consideration of any water supply sources in the new source approval or Water Management Act permitting processes, sewering plans under development, etc.

MITIGATION

- To the extent the EIR/IBT process identifies impacts that may need to be mitigated, the proponent should propose measures to mitigate these impacts. Proponents should consider such measures as additional I/I reduction, impervious surface remediation, groundwater recharge, or stormwater management programs consistent with DEP stormwater guidance that keep water in the donor basin.

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Provide information to demonstrate that this proposal seeks to minimize unnecessary loss or depletion of environmental quality and resources.

Electronic copies (unless otherwise specified) of all Interbasin Transfer EIRs should be sent to the following people. This is only a listing of those people who will be reviewing the EIR specifically under the Interbasin Transfer Act and is not meant to be all inclusive.

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The Public Libraries
of the affected communities
in both the donor and
receiving basin
One bound copy each