



WATER RESOURCES COMMITTEE

THURSDAY, AUGUST 31, 2017

8:30 - 10:00 AM

**2ND FLOOR CONFERENCE ROOM, 200 FRIBERG PARKWAY
WESTBOROUGH, MA 01581**

I. WELCOME AND INTRODUCTIONS

- **Jessica Strunkin, Partnership's Deputy Director**
- **Gerry Preble, Private Sector Co-Chair, Beals + Thomas**

II. PERSPECTIVES ON PRIMACY

- **Beth Card, Deputy Commissioner for the Massachusetts Department of Environmental Protection**
- **Representative Carolyn Dykema**

III. DISCUSSION OF EMERGING ISSUES AND NEXT STEPS

- **Brutus Cantoreggi, Public Sector Co-Chair, Town of Franklin**
- **Jessica Strunkin, Partnership's Deputy Director**
 - **495/MetroWest Suburban Edge Community Commission**
 - **MS4**
 - **Comprehensive Review of Revised Water Management Act Permit Requirements**
 - **Water Management Act Petition on Water Withdrawal Registration - Meeting on Sept. 12th at 100 Cambridge St. in Boston 1:00 PM**
 - **Update on Revisions to the MA Drought Management Plan (<http://www.mass.gov/eea/docs/eea/wrc/update-on-revisions-to-ma-dmp-for-dmft-7-13-17.pdf>)**
 - **Potential Meeting Topics**

IV. CLOSING COMMENTS

- **Jessica Strunkin, Partnership's Deputy Director**



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karin E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

August 14, 2017

Re: General Permits for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4) in Massachusetts

Dear MS4 Regulated Entity:

This determination is in response to 28 emails received from individual municipalities and one municipal coalition (see correspondence list attached) requesting the Department to revise the schedule for compliance contained in the 2016 renewal of the General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems ("MS4s") in Massachusetts ("Massachusetts Permit") pursuant to M.G.L. c. 21, § 43(4).¹ These requests were made in light of the recent action by EPA Region 1 to postpone the effective date of the EPA-issued general permit.

In 2016, MassDEP agreed to co-issue the Massachusetts Permit with EPA Region 1 in order to continue to be involved with EPA, cities and towns, and other stakeholders on how the Massachusetts Permit is implemented. MassDEP has made it a priority to work closely with EPA, communities, and stormwater coalitions to facilitate communication about permit requirements, to provide technical assistance to municipalities and coalitions, and to expand areas where sharing information and resources and innovative thinking can help cities and towns comply.

In light of the federal postponement, and given our goal to establish a coordinated federal-state implementation process, I find that good cause exists, for which permittees are not at fault, to revise the current state permit deadline for submittal of Notices of Intent. Given that coverage under the state-issued general permit is dependent upon EPA Region 1's issuance of written authorization following submittal of a Notice of Intent, and opportunity for public notice and comment, I note that it would be an exercise in futility to continue to require permittees to submit their Notices of Intent by September 29, 2017.

¹ M.G.L. c. 21, § 43(4) provides, in relevant part, "[t]he director may, upon request of a permittee, revise a schedule of compliance in an issued permit if the director determines that good and valid cause, for which the permittee is not at fault, exists for such revision, and in such cases the provisions of this paragraph for public notice and hearing shall not apply."

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Accordingly, to align with the revised effective date of the EPA-issued general permit, permittees seeking coverage under the state-issued general permit should submit their Notices of Intent, as otherwise required by part 1.7.3. of the state permit, within 90 days of July 1, 2018 (i.e., by September 29, 2018) or on such earlier date as may be required by EPA or a court upon judicial review. Additionally, such permittees should submit their Stormwater Management Plans, as required by part 1.10.a., and modified BMPs, as required by part 1.10.b., by July 1, 2019, or on such earlier date as may be required by EPA or a court upon judicial review. Finally, all other compliance deadlines included in the state-issued permit shall be extended for one year, as we understand was done by the federal decision, accordingly, to align with the revised federal permit compliance deadlines, or to such earlier dates as may be required by EPA or a court upon judicial review.

As you know, the 2003 general permit for Small MS4s in Massachusetts has been administratively continued for MS4s covered under that permit since 2008, and it remains in force and in effect. Permittees should be mindful of their obligation to comply with all conditions of the 2003 general permit, including the requirement to annually evaluate the compliance of permittees' storm water management programs with the conditions of the 2003 permit and the appropriateness of the selected BMPs under Part II.D., until coverage is obtained under the 2016 general permit or an individual permit.

Sincerely,



Douglas E. Fine
Assistant Commissioner

Enclosure: Correspondence List

cc: Deborah Szaro, Acting Administrator, EPA Region 1

Correspondence List Regarding MassDEP's MS4 Permit Timeline – August 14, 2017

North Reading	Andrew Lafferty Director of Public Works	August 14, 2017
Orleans	John Kelly Town Administrator	August 11, 2017
Waltham	Stephen Casazza City Engineer	August 9, 2017
Wakefield	Claire Moss Stormwater/Project Manager	August 7, 2017
Fairhaven	Vincent Furtado Public Works Superintendent	August 4, 2017
Bellingham	Donald DiMartino Department of Public Works Director	August 4, 2017
Boxborough	Adam Duchesneau Town Planner	August 4, 2017
Worcester	Paul Moosey Commissioner DPW & Parks	August 4, 2017
Spencer	Stephen Tyler Superintendent Facilities and Utilities Office	August 4, 2017
Hadley	David Nixon Town Administrator	August 4, 2017
Sturbridge	Gregory Morse Department of Public Works Director	August 4, 2017
Lowell	Mark Young Executive Director Lowell Reg'l Wastewater Utility	August 4, 2017
Westfield	Joseph Keltner Stormwater Coordinator, DPW	August 4, 2017
Beverly	Mayor Michael Cahill	August 3, 2017
Dedham	Jason Mammone Director of Engineering	August 3, 2017
Braintree	Robert Campbell Town Engineer	August 3, 2017
South Hadley	Melissa Labonte Water Pollution Control Compliance Manager	August 3, 2017
Sterling	William Tuttle Department of Public Works Superintendent	August 3, 2017
Concord	Richard Reine Public Works Director	August 3, 2017
Milford	Richard Villani Town Administrator	August 3, 2017
Belchertown	Steven Williams Director of Public Works	August 3, 2017
Northborough	Scott Charpentier Director of Public Works	August 3, 2017
Wayland	Thomas Holder Director Department of Public Works	August 3, 2017
Chicopee	Quinn Lonczak Project Supervisor Water Pollution Control	August 3, 2017
West Boylston	Anita Schelpers Town Administrator	August 3, 2017
Leominster	Mark Piermarini Assistant Director of Public Works	August 3, 2017
Springfield	Joshua Schimmel Executive Director Water and Sewer Commission	August 2, 2017

Massachusetts Coalition for Water Resources Stewardship

August 3, 2017

Members:

Charles River Pollution Control District	City of Attleboro	City of Beverly
City of Brockton	City of Haverhill	City of Holyoke
City of Leominster	City of Melrose	City of New Bedford
Greater Lawrence Sanitary District	Town of Brookline	Lowell Regional Wastewater Utility
South Essex Sewerage District	Town of Concord	Town of Concord
Town of Dedham	Town of Framingham	Town of Franklin
Town of Holden	Town of Milford	Town of Pepperell
Town of Wayland	City of Chicopee	City of Peabody
City of Salem	City of Worcester	Town of Bellingham
Town of Danvers	Town of Marblehead	Town of Medway
Town of Millbury	Town of Wilbraham	
Upper Blackstone Water Pollution Abatement District	Springfield Water and Sewer Commission	



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Comprehensive Review of Revised Water Management Act Permit Requirements

[Comprehensive Review of Revised Water Management Act Permit Requirements](#) 2MB

Chapter 288 of the Acts of 2014 requires MassDEP to review the WMA permit requirements revised in November 2014, review public water supply permits that include new permit conditions, and to estimate the cost of implementing those new permit conditions. June 30, 2017.

The following zip files include background documentation for the projects and cost ranges described in Section 9 of the Report, "Financial Information on Mitigation and Minimization Requirements". You will need an unzip utility to extract the contents of these files.

[References for Table 9.2 - Demand Management](#) 24MB

The cost information in Table 9.2 - Demand Management is organized into six general categories.

- General System-wide Measures,
- Outdoor Water Use,
- Indoor Water Use,
- Rate Review and Changes, and
- System Audits, Leak Detection and Metering.

The source documents referenced in Table 9.2 are included here, organized into the same categories.

[References for Table 9.3 - Instream Flow Improvements - Surface Water Releases](#) 11MB

The cost information in Table 9.3 - Instream Flow Improvements - Surface Water Releases is based on surface water release projects that have been undertaken in Massachusetts. The source documents referenced in Table 9.3 are included here.

[References for Tables 9.4 and 9.5 - Stormwater Recharge Best Management Practices \(BMP's\)](#) 23MB

The cost information in Table 9.4 and 9.5 - Stormwater Recharge Best Management Practices (BMP's) is based on common types of stormwater recharge BMP projects that have been implemented in New England. The source documents referenced in Table 9.2 are included here.

[References for Tables 9.6 and 9.7 - MS4 Requirements](#) 4MB

Stormwater recharge is an example of a WMA mitigation activity that frequently overlaps with other regulatory obligations. The cost information provided here reflects costs related to MS4, not the WMA regulations.

Tables 9.6 and 9.7 - MS4 Requirements were developed using Comprehensive Environmental Incorporated's MS4CASTER™ cost tool. Table 9.6 outlines the assumptions used to define small, medium, and large municipalities. The reference documents for Tables 9.7 - Stormwater Recharge - MS4 Requirements include PDF displays of the work and cost breakdown for each of the MS4 requirements: 6 minimum measures, NOI and SWMP.

[References for Tables 9.8 and 9.9 - Infiltration and Inflow Removal](#) 9MB

The cost information in Table 9.8 and 9.9 - Infiltration and Inflow Removal is based on project descriptions and cost information for infiltration and inflow (I/I) removal projects funded through the Massachusetts State Revolving Fund Loan Program. Project description and cost information from projects in Brockton, Malden, Nantucket, Revere, Worcester, Dartmouth, Hopkinton, and Westborough is included.

[References for Table 9.10 - Wastewater Septic System Maintenance Program](#) 2MB

The cost information in Table 9.10 - Wastewater Septic System Maintenance Program includes a summary of septic system replacement costs developed by the Massachusetts State Revolving Fund Community Septic Management Program (MassSRF CSMP) for municipal programs funded in 2014 and 2015.

[References for Table 9.11 - Habitat Improvements - Dam Removal Summary](#) 1MB

The cost information for Table 9.11 - Habitat Improvements is divided into subgroups. This folder includes background information and a summary table for the dam removal projects and costs ranges referenced in Table 9.11.

[References for Table 9.11 - Habitat Improvements - Poor Farm Dam](#) 16MB

The cost information for Table 9.11 - Habitat Improvements is divided into subgroups. This folder includes background documentation and cost information for the Poor Farm Pond Dam removal referenced in Table 9.11.

[References for Table 9.11 - Habitat Improvements - Patch Pond Dam](#) 16MB

The cost information for Table 9.11 - Habitat Improvements is divided into subgroups. This folder includes background documentation and cost information for the Patch Pond Dam removal referenced in Table 9.11.



[References for Table 9.11 – Habitat Improvements – Culvert Replacement](#)  17MB

The cost information for Table 9.11 – Habitat Improvements is divided into subgroups. This folder includes background documentation for the projects and costs ranges for culvert replacement referenced in Table 9.11.

[References for Table 9.11 – Habitat Improvements – Streambank Restoration](#)  13MB

The cost information for Table 9.11 – Habitat Improvements is divided into subgroups. This folder includes background documentation for the projects and costs ranges for streambank restoration referenced in Table 9.11.

[References for Table 9.11 – Habitat Improvements – Stream Channel Restoration](#)  13MB

The cost information for Table 9.11 – Habitat Improvements is divided into subgroups. This folder includes background documentation for the projects and costs ranges for stream channel restoration referenced in Table 9.11

[References for Table 9.11 – Habitat Improvements – Stream Buffer Restoration](#)  20MB

The cost information for Table 9.11 – Habitat Improvements is divided into subgroups. This folder includes background documentation for the projects and costs ranges for stream buffer restoration referenced in Table 9.11.

[References for Table 9.11 – Habitat Improvements – Fish Passage](#)  13MB

The cost information for Table 9.11 – Habitat Improvements is divided into subgroups. This folder includes background documentation for the projects and costs ranges for fish passage restoration referenced in Table 9.11.

[References for Table 9.12 – Land Acquisition – Acquire Property in Zone II or Contributing Watershed Area](#) 

The cost information in Table 9.12 – Land Acquisition – Acquire Property in Zone II or Contributing Watershed Area includes information land purchased through Conservation Partnership Grants in 2016 and 2017. Information in the parcels is provided here.

[References for Table 9.13 – Municipal Regulatory Development, Implementation and Enforcement](#)  5MB

The cost information in Table 9.13 – Municipal Regulatory Development, Implementation and Enforcement includes information on municipal regulatory activities that can provide substantial water quantity, water quality and broader environmental benefits. Model Bylaws and Guidance are provided on enterprise funds, wetland bylaws, outdoor water use bylaws, and stormwater bylaws.

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- Yes
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Petition to Amend Water Management Act Regulations

[Petition to Amend the Water Management Act Regulations](#)

A petition titled "For the promulgation of Revised and Amended Regulations that impose Conservation Conditions on all Registrants to satisfy the purposes of the Massachusetts Water Management Act, the Water Conservation Standards (June 2012, as amended), and the Public Trust Doctrine" was submitted to MassDEP in March 2017 by the Massachusetts Rivers Alliance.

[Public Meeting Agenda](#)

A public meeting to discuss the petition will be held on September 12, 2017 from 1:00 to 3:00pm at 100 Cambridge Street, 2nd Floor Conference Rooms B, C and D, Boston, MA 02114.

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Imagine a Day Without Water

October 12, 2017

5)

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Resources

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Message Framework
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Download the Logo
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Blog/Op-ed Template
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Resolution Template
(/resources/imagine-day-without-water-resolution)

Press Release Template
(/resources/sample-press-release)

Social Media Graphics
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Video
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Message Framework

This framework was developed to be the foundation of our unified message for Imagine a Day Without Water. Feel free to take this message framework and tailor it to better suit the specific issues and solutions you want to highlight for Imagine a Day Without Water.

Most Americans take the water systems that bring clean water to and from their homes and businesses for granted. They turn on the tap and flush the toilet without thinking twice about where that water came from or where it will go.

But could you imagine a day without water? Without safe, reliable water and wastewater service?

A Day Without Water = Crisis

A day without water means no water comes out of your tap to brush your teeth. When you flush the toilet, nothing happens. Firefighters have no water to put out fires; farmers couldn't water their crops; and doctors couldn't wash their hands. A single nationwide day without water service would put \$43.5 billion of economic activity (http://thevalueofwater.org/sites/default/files/Economic%20Impact%20of%20Investing%20in%20Water%20Infrastructure_VOW_FINAL_pages.pdf) at risk. In just eight days, a national water service stoppage would put nearly 2 million jobs (http://thevalueofwater.org/sites/default/files/Economic%20Impact%20of%20Investing%20in%20Water%20Infrastructure_VOW_FINAL_pages.pdf) in jeopardy.

A day without water is nothing short of a humanitarian, political, and

economic crisis.

While unimaginable for most of us, there are communities that have lived without water. From man-made tragedies in Flint, Michigan, to water scarcity issues in Central California, to wastewater runoff in the Great Lakes, water issues abound. There are millions of Americans living in communities that never had the infrastructure to provide safe water service, relying on bottled water and septic systems each day.

America can do better.

The problems that face our drinking water and wastewater systems are multi-faceted. The infrastructure is aging and in need of investment, having gone underfunded for decades. Drought, flooding, and climate change stress water and wastewater systems. Although these regional challenges will require locally-driven solutions, reinvestment in our water must be a national priority.

Reinvestment in Water Infrastructure = Opportunity

The good news is that the American people are already widely supportive of increased investment in nation's water infrastructure. Above any other pressing political issue, Americans name rebuilding our nation's infrastructure (http://thevalueofwater.org/sites/default/files/May%202017%20National%20Poll%20Findings_Value%20of%20Water%20Campaign_0.pdf) as the issue they most want our elected officials to address. Americans view water infrastructure investment as an even greater priority than infrastructure generally, with 82 percent of voters saying that they view the issue as either important or very important (http://thevalueofwater.org/sites/default/files/May%202017%20National%20Poll%20Findings_Value%20of%20Water%20Campaign_0.pdf). No other issue facing our public officials enjoys such a broad consensus.

Americans across the regional and political spectrum know that investing in our drinking water and wastewater systems is key. While neglecting our nation's water systems poses grave health and economic dangers, the benefits of reinvestment are great. If we close the existing water infrastructure investment gap, the national economy would gain \$220 billion in annual economic activity and 1.3 million jobs (http://thevalueofwater.org/sites/default/files/Economic%20Impact%20of%20Investing%20in%20Water%20Infrastructure_VOW_FINAL_pages.pdf).

There is no other option. Public officials at the local, state, and national level must prioritize investment in water. Public private partnerships will play an important role in building the drinking water and wastewater systems of

tomorrow. Innovation will allow us to build modern, energy efficient, and environmentally advanced systems that will sustain communities for generations to come.

We need to prioritize building stronger water and wastewater systems now so no community in America has to imagine living a day without water.

Imagine a Day Without Water message framework 071017.pdf
(<http://imagineadaywithoutwater.org/sites/imagineadaywithoutwater.org/files/20a%20Day%20Without%20Water%20message%20framework%20071017.pdf>)

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