

## High Priority Questions About Other State Plans

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### PLAN ELEMENTS

**1. What is the overall organizational structure of the plan?**

MA doesn't have a Plan, per se, but they have various interrelated planning documents/efforts including most significantly the MA Water Policy, Guide to Water Resource Planning and the Sustainable Water Management Initiative (SWMI) framework and regulations.

**2. Please provide a table of contents as an attachment**

Attached are TOCs from the Water Policy and SWMI Framework reports.

### PROCESS

**3. How did states actually do planning and how was it funded? With state employees or outside contractors or regional, bottom up efforts? Is funding model sustainable for an ongoing plan?**

Planning has been done by State employees and stakeholder volunteers; coordinated through the Executive Office of Environmental Affairs. General fund money has been allocated for USGS studies, SWMI Pilot Test and SWMI Grant Program.

**4. How did other states handle stakeholder engagement, public communication and public involvement?**

Policy developed by multi-stakeholder Water Policy Task Force. Don't know if it had public comment. SWMI regulations developed by multi-stakeholder steering, technical and policy committees similar to CT streamflow regulations. Meetings were open to the public. Public comment taken on initial framework and on proposed regulations. Used consultant to pilot test program on four volunteer communities. EEA staff met with interested stakeholders. Website established.

**5. How do models used in the planning process get created? Is it a transparent process? Does the model have legitimacy (do people accept that it is accurate and appropriate to use in planning)? Is the model accessible?**

Several USGS models (sustainable yield estimator, indicators of streamflow alteration, factors influencing fish assemblages). Using flow-dependent fish as metric (typically more sensitive to stormwater than to withdrawals. The regression analyses are generally accepted.

Sub-basin level database of estimated flows, withdrawals and annual quantities publicly available. Used to estimate impact of increased withdrawals on flow category.

Public GIS of water withdrawal locations, fish sample points, coldwater fisheries, basins, aquifers and categories.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>JURISDICTION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>6. How did other states deal with different classes of water (e.g., Class A and B)?</b></p> <p>NA</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>7. How did other states deal with registrations or pre-existing water rights? Were they grandfathered? Did it work/not work?</b></p> <p>SWMI program is incorporated into the Water Management Act permitting (MA version of diversion permitting – except for interbasin transfers). Registrations are not impacted.</p>                                                                                                                                                                                                                                                                                                       |
| <p><b>8. How did existing agencies with different jurisdictions and responsibilities work together in the planning effort (local to regional to state, groundwater and surface water management, quality and quantity, environmental, etc.)? How were responsibilities shared? How are they managing conflicts?</b></p> <p>Planning is being done at a State level with multi-stakeholder input. Implementation is required at the municipal/water company level. Permitting is done on a basin basis so there is opportunity for evaluating cumulative withdrawals within a basin but no formal process for conflict resolution.</p> |
| <b>PRIORITIZATION AND VALUES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p><b>9. Did other states alter the way they managed or allocated water through the planning process? How? Why? Did it work?</b></p> <p>Changed the permit process but not the allocation process.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p><b>10. How do states identify and prioritize some basins over others and what are the criteria for prioritization?</b></p> <p>After extensive study they prioritized based on Biological Category (estimated variation in fish abundance) and groundwater withdrawal levels based on withdrawals as % of Unimpacted August median flow. Prioritization done on a subbasin (HUC-12) basis.</p>                                                                                                                                                                                                                                      |
| <b>OTHER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><b>11. What elements of the plan struck you as being especially interesting and relevant to the Connecticut situation.</b></p> <p>Defined water available for withdrawal in each major basin.</p> <p>SWMI is a permitting program not a planning initiative – we need planning.</p> <p>Used a pilot program to test impact on representative communities.</p> <p>Grant program. Used incentives.</p> <p>Used same process both for new permits and renewals; requirements different depending on volumes.</p> <p>Emphasizes use reclaimed water and conservation.</p>                                                              |
| <p><b>12. Please list any attachments.</b> MA Water Policy Recommendations</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

## MA Water Policy Table of Contents

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- B. Safe Yield Approach for Plymouth-Carver Aquifer, Cape Cod and Islands
- C. Categorization of Massachusetts Streams and Rivers
- D. Application of Streamflow Criteria in Unassessed Areas
- E. Draft vs. Final USGS Fish and Habitat Report Results and their application
- F. Designation of Cold Water Fisheries Resources
- G. Outline of WMA Permit Conditions for Public Water Supply Permits
- H. List of Acronyms

## Implementation of Recommendations

| REC #     | ACTION                                                                                                                                                                                | RESPONSIBLE PARTY                     | PARTNERS                               |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|----------------------------------------|
| <b>1</b>  | <b>Create a Stress Framework</b>                                                                                                                                                      |                                       |                                        |
| <b>a</b>  | Define a Stress Framework that includes increasing efficiency of water use                                                                                                            | WRC (via Task Force or Subcommittees) | DCR, DEP, USGS, Watershed Associations |
| <b>b</b>  | Define performance based mitigation strategies                                                                                                                                        |                                       |                                        |
| <b>c</b>  | Revise and update Water Conservation Standards                                                                                                                                        |                                       |                                        |
| <b>d</b>  | Develop policy on maintenance and repair of infrastructure                                                                                                                            |                                       |                                        |
| <b>2</b>  | <b>Help communities meet water needs via watershed solutions based on water budgets</b>                                                                                               | EOEA, WRC                             | DCR, DEP                               |
| <b>a</b>  | From water budgets, study and identify areas where net losses of water could negatively impact ecosystems                                                                             |                                       |                                        |
| <b>b</b>  | Use tools to meet existing and future supply demands                                                                                                                                  |                                       |                                        |
| <b>c</b>  | Identify critical areas where water needs are best met by directing growth away or by regional water systems                                                                          |                                       |                                        |
| <b>d</b>  | Finalize the Integrated Water Resources Management Plan (IWRMP) Guidance                                                                                                              | DEP                                   |                                        |
| <b>3</b>  | <b>Develop policy and pursue legislation requiring use of enterprise accounts for objectives such as infrastructure maintenance and improvements, stormwater mitigation, etc.</b>     | EOEA                                  |                                        |
| <b>4</b>  | <b>Increase treated wastewater recharge and reuse</b>                                                                                                                                 |                                       |                                        |
| <b>a</b>  | Review current wastewater disposal policies and practices and recommend recharge and reuse; research efforts in other states; identify suitable sites for recharge; create incentives | WRC, DEP                              | Universities, DAR                      |
| <b>b</b>  | Recommend Boards of Health track and regulate septic system maintenance                                                                                                               | EOEA,                                 | DPH                                    |
| <b>c</b>  | Actively promote reclaimed water reuse                                                                                                                                                | WRC, DEP                              |                                        |
| <b>i</b>  | Encourage use in ballparks, golf courses, for recreational irrigation, state maintained properties, large scale development                                                           | DCS                                   |                                        |
| <b>ii</b> | Develop guidance for distribution to DHCD interacting with developers, consultants, municipalities                                                                                    |                                       |                                        |

| REC #    | ACTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | RESPONSIBLE PARTY | PARTNERS                                                         |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------------------------------------------------------------|
| <b>5</b> | <b>Promote stormwater recharge</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |                                                                  |
| <b>a</b> | Provide guidance on appropriate BMPs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | DEP               | LID Task Force, MMA, Watershed Associations, MACC, MHD, OCD, DAR |
| <b>b</b> | Extend current guidance from wetlands to upland areas and beyond Phase II areas                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | DEP               |                                                                  |
| <b>c</b> | MEPA recommend incorporation of LID techniques for all projects                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | MEPA              |                                                                  |
| <b>d</b> | Promote establishment of Stormwater Utilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | DEP               |                                                                  |
| <b>6</b> | <b>Advance effective water supply management</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                   |                                                                  |
| <b>a</b> | Create a state policy on water supply development                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | WRC               | DEP, DCR, NEWWA/MWWA                                             |
| <b>b</b> | Promote optimization of water withdrawals                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | EOEA              |                                                                  |
| <b>7</b> | <b>Protect and Restore critical land and water resources</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                   | Watershed Associations                                           |
| <b>a</b> | Establish a grant program to protect critical land and water resources<br>Protect priority lands that protect water supply lands, Zone I, II etc.<br>Coordinate aquifer protection program with Commonwealth Capital                                                                                                                                                                                                                                                                                                                                      | EOEA              |                                                                  |
| <b>b</b> | Protect and Restore Riverine and Estuarine habitat<br>Develop methodology for prioritizing restoration<br>Target Fish Community assessments for mainstems and major tributaries<br>Define fish community and habitat for small streams using IBI<br>Determine target river structure<br>Continue River Continuity pilot project                                                                                                                                                                                                                           | DFG               |                                                                  |
| <b>c</b> | Disseminate information on restoration, protection; Protect habitats by implementing and integrating Living Waters and BioMap<br>Advance outreach and education and inform municipalities, landowners and organizations about tools to critical habitats<br>Incorporate Living Waters into State Programs<br>Support technical review group recommended by Citizen Advisory Committee for Lake GEIR<br>Advance an education and outreach effort to landowners and local decision makers-Conservation Commissions, planners, developers, WAs, stream teams | DFG               |                                                                  |
|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | DFG, Vendor       |                                                                  |
|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                                                                  |

| REC #      | ACTION                                                                                                                                                                                                                                                    | RESPONSIBLE PARTY | PARTNERS                 |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------------------------|
| <b>8</b>   | <b>Promote sustainable development &amp; Fix-it-Early through CW and DW SRF loan programs</b>                                                                                                                                                             | EOEA, DEP         |                          |
| <b>a</b>   | Encourage ongoing maintenance of water and wastewater infrastructure                                                                                                                                                                                      |                   |                          |
| <b>b</b>   | Adjust applications to revise caps on new capacity in targeted areas and reduce extensions                                                                                                                                                                |                   |                          |
| <b>c</b>   | Provide technical assistance and do outreach to stakeholders via OCD and its agencies                                                                                                                                                                     |                   | OCD                      |
| <b>d</b>   | Require adequate metering of wastewater between system and users                                                                                                                                                                                          |                   |                          |
| <b>e</b>   | Consider requiring enterprise accounts as part of SRF application                                                                                                                                                                                         |                   |                          |
| <b>9</b>   | <b>Provide guidance to help municipalities advance development with reduced negative impacts on the environment. Provide single point of contact for technical assistance on permitting, development strategies, fast tracking, resource protection</b>   | EOEA              | DAR                      |
| <b>a</b>   | Develop informational packet and technical assistance for towns on:                                                                                                                                                                                       |                   |                          |
| <b>i</b>   | Stormwater and development                                                                                                                                                                                                                                |                   |                          |
| <b>ii</b>  | Non-acquisition protection strategies for water resources, model zoning, by-laws, ordinances                                                                                                                                                              |                   |                          |
| <b>iii</b> | Redesign and distribute LID brochure                                                                                                                                                                                                                      | LID sub-committee | Homebuilders Association |
| <b>iv</b>  | Develop certification program                                                                                                                                                                                                                             | RPA               | APA                      |
| <b>v</b>   | Water issues - budgets, data, assessment, monitoring; centralize all documents, reports, data                                                                                                                                                             | Ongoing           |                          |
| <b>vi</b>  | Sustainable development and smart growth - on OCD, EOEA, MEPA websites; online brochures for developers                                                                                                                                                   | OCD, EOEA         |                          |
| <b>b</b>   | Seek legislative approval to expand OTA mission                                                                                                                                                                                                           | EOEA, OTA         |                          |
| <b>c</b>   | Assign staff to coordinate permits and provide technical and regulatory assistance from pre-planning to permit stage. Define pre-application process, coordinate public comment periods, develop consistent timelines for permits through a working group | EOEA              |                          |
| <b>i</b>   | Create working group through IWC to setup pre-application framework                                                                                                                                                                                       |                   |                          |

| REC #                     | ACTION                                                                                                                                                                                                                                                                                                                                                                                                                           | RESPONSIBLE PARTY    | PARTNERS |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------|
| ii<br>iii<br>iv<br>d<br>e | <p>Define interaction with pertinent non-EOEA agencies on permits</p> <p>Coordinate timelines, identify permitting, plan approval, single EIR process redundancies, reduce duplication, <i>advance multi-agency coordination</i></p> <p>Improve New Source approval process</p> <p>Assign EOEA staff to act as Ombudsperson</p> <p>Provide guidance on Growing Smart Toolkit, fast-tracking, non-acquisition land protection</p> | EOEA<br>EOEA, OTA    |          |
| 10<br>a<br>b<br>c         | <p><b>Advance effective planning with Mass Highways via OCD</b></p> <p>Form working group to draft BMPs for habitat lands next to roadways</p> <p>Improve DFW coordination with MassHighways on road/water crossings</p> <p>Work with MH to involve DFW early in design of roadways near crossings, and abutting habitat lands</p>                                                                                               | OCD, DOT, DFG<br>DFG |          |
| <b>DATA NEEDS</b><br>a    | <p><b>Expand Stress Framework definitions</b></p> <p>Assemble flow data that can be used in regulations</p> <p>Complete water assets study</p> <p>Develop streamflow standards for each basin</p> <p>Build water budgets for each basin/sub basin</p> <p>Refine the different stress levels</p> <p>Do outreach and provide information on natural flows</p>                                                                      | WRC staff            |          |
| b                         | <p><b>Collect data on target fish communities and develop methodology for establishing restoration targets</b></p> <p>Gather information from Conservation Commissions to update cold water resources</p> <p>Complete regional development of target fish data for key watersheds</p> <p>Conduct fish community and habitat analysis for small streams using IBI</p>                                                             | DFG                  |          |