



9

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
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Public Notice of
Water Management Act (MGL c 21G) 20-Year Permit Renewal
Hudson River Watershed

The Massachusetts Department of Environmental Protection (MassDEP) requires that a Water Management Act permit be obtained by anyone withdrawing over 100,000 gallons per day or more, for any period of three consecutive months or more, who had not previously registered that water withdrawal. Water Management Permits are issued on a 20-year cycle for each of the 27 major watersheds in Massachusetts. All permits in a watershed expire on the same date.

The initial 20-year permit cycle in the Hudson River watershed began on August 31, 1988 and all Water Management permits in the Hudson River watershed will expire on August 31, 2008. Permittees can apply to renew their Water Management permits before the permits expire. Any proposed increase in permitted withdrawal volume must be requested through a full permit application, rather than a permit renewal.

The Department has received permit renewal applications from all current permit holders in the Hudson River watershed. Permit renewal applications include:

The Adams Fire District, Permit 9P-1-01-004.04

- Registered for historic withdrawals (1981-1985) of 2.0 mgd from Bassett Brook Reservoir and Wells 2A, 3 and 4,
- Permit Renewal requested to continue to withdraw 0.16 mgd from Wells 2A, 3 and 4 above its registered volume.

Cheshire Water District, Permit 9P2-1-01-058.01

- Registered for historic withdrawals (1981-1985) of 0.22 mgd from Kitchen Brook Reservoir,
- Permit Renewal requested to continue to withdraw registered volumes from Wells 1 and 2, no withdrawals above its registered volume are permitted.

Williamstown Water Department, Permit 9P3-1-01-341.02

- Registered for historic withdrawal (1981-1985) of 0.90 from Wells 1 and 2, Rattlesnake Reservoir and Sherman Springs Reservoir,
- Permit Renewal requested to continue to withdraw registered volumes from Well 3, no withdrawals above its registered volume are permitted

Specialty Minerals, Permit 9P-1-01-004.01

- Registered for historic withdrawal (1981-1985) of 3.70 mgd from Wells 1, 2, 3 and 4,
- Permit Renewal requested to continue to withdraw 2.32 mgd from Wells 1, 2, 3, 4 and 5 above its registered volume.

Jiminy Peak, Permit 9P3-1-01-112.01

- Registered for historic withdrawal (1981-1985) of 0.45 mgd for 120 days per year from Bentley Brook/Jiminy Creek,

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 1-866-539-7622 or 1-617-574-6868.

MassDEP on the World Wide Web: <http://www.mass.gov/dep>

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- Permit Renewal requested to continue to withdraw 1.05 mgd for 120 days per year from Bentley Brook/Jiminy Creek and Kinderhook Creek above its registered volume.

Steinerfilm, Permit 9P-1-01-341.03

- Registered for historic withdrawal (1981-1985) of 0.82 mgd from Wells 1 and 2,
- Permit Renewal requested to continue to withdraw 0.54 mgd from Wells 1, 2 and 3 above its registered volume.

20-Year Demand Projections

Public Water Supply permit renewals will be based on the Department of Conservation and Recreation's Office of Water Resources (OWR) water needs forecasts (demand projections). These projections are based on information contained in the annual statistical reports (ASR) filed with MassDEP for the years 2003 through 2007, employment and population projections prepared by the regional planning agency, and information concerning water use patterns and service area supplied by each public water supplier.

- In cases where the OWR demand projection for the coming 20 years is lower than the authorized withdrawal in the current permit, MassDEP may elect to maintain the current withdrawal authorization or reduce the allowable withdrawal as it determines is necessary to promote the goals of the Act.
- In cases where the OWR demand projection shows withdrawals increasing above the authorized withdrawal in the current permit during the coming 20 years, MassDEP will renew the current permit, and the permittee will be required to apply for additional volumes through a full permit application as actual withdrawals reach the current permit limit.
- In cases where existing data is insufficient to develop firm 20-year demand projections at this time, MassDEP may issue renewed permits based on interim demand projections.

OWR will work with suppliers to finalize the demand projections in the coming weeks. Preliminary draft projections indicate that some public water supply systems' future demand might not support renewal of the full permitted volume.

Non-public water supply permit renewals will be based on detailed 20-year demand projections developed and submitted by the permittees. Such demand projections will need to be approved by the Department and show projected changes in process, production or business plan that justify increased demand over the withdrawals documented in the Annual Reports (AR) filed with MassDEP for the years 2003 through 2007.

- In cases where the approved demand projection for the coming 20 years is lower than the authorized withdrawal in the current permit, MassDEP may elect to maintain the current withdrawal authorization or reduce the allowable withdrawal as it determines is necessary to promote the goals of the Act.
- In cases where the approved demand projection shows withdrawals increasing above the authorized withdrawal in the current permit during the coming 20 years, MassDEP will renew the current permit, and the permittee will be required to apply for additional volumes through a full permit application as actual withdrawals reach the current permit limit.

Massachusetts State Water Conservation Standards

To better achieve a balance between competing water withdrawals and uses mandated by the Act, to protect the natural environment, and to provide continued and sustainable economic growth in the Commonwealth, Permit Renewals will include new water conservation measures consistent with the State Water Conservation Standards approved by the Water Resources Commission (WRC) in July 2006. New water conservation measures include:

- A requirement that public water supply permittees not meeting the WRC's performance standards of 65 residential gallons per capita day water use (RGPCD) and 10% unaccounted for water loss (UAW) by December 31, 2012, must develop and implement conservation plans designed to meet the performance standard(s) by December 31, 2017;
- A requirement that public water supply permittees meet 65 RGPCD and 10% UAW by December 31, 2017, or adopt and implement a DEP-approved conservation plan;

- A requirement that by 2010 all permittees begin implementing a Seasonal Demand Management Plan that, at a minimum, restricts nonessential outdoor water use between May 1st and September 30th when the local stream flow falls below protective flow levels set in the permit, and when the Massachusetts Drought Management Task Force declares a drought level of “Advisory”, “Watch”, “Warning” or “Emergency” for the region in which the supplier’s withdrawals are located.

Public Comment Period

MassDEP will take comment on the Hudson River watershed permit renewal applications for 30 days from publication of this notice. Permit renewal applicants will have 30 days to respond to all reasonable comments as part of the permit renewal process.

Please send copies of any comments to:

Beth McCann
MassDEP
One Winter Street, 5th floor
Boston, MA 02108

For additional information, please contact either:

Beth McCann, MassDEP Boston Office at (617) 292-5901 or
Jim Bumgardner, MassDEP WERO Office at (413) 755-2270