



**WATER SUPPLY CITIZENS
ADVISORY COMMITTEE**
to the Mass. Water Resources Authority

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Secretary Robert Golledge
Executive Office of Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Subject: Draft Record of Decision for a Phase 1 Waiver to allow the Town of Reading to use the MWRA Water Supply System as in interim provider.
MEPA Analyst: Aisling Eglington, EOE File # 12514

Dear Secretary Golledge:

The Waiver is based on the assumed necessity that the Town of Reading could not provide potable water in a safe and sustainable manner during the year or so that additional approvals would be needed to justify its application to MWRA for full time water service. The DEP ACO restricts Reading's use of MWRA during this study period to 2.1 mgd although the Town is asking for 2.27 mgd as its final MWRA application volume. The Draft Record of Decision can stand with the added assurances that management improvements, conservations activities, and long-term improvements, such as stormwater management, will become realities.

As you know, the ITA was not intended to replenish water basins that have become depleted, and we have continued to state that the Commonwealth has not done enough to require and coordinate headwater communities to work together to improve streamflows *before* interbasin transfers are permitted. MWRA's legislative mandate is not being fully implemented, because its unique charge anticipated that communities experiencing contamination were to be the primary new applicants, and because it happens to be last in the regulatory line, its policies do not require much in additional action by applicant communities. MWRA's admission criteria do not distinguish between communities that have exhausted other feasible options and those seeking its water for other less worthy purposes. We will continue to work with all parties to make these policy and regulatory changes. We need the state to also step up.

In addition to updating the actions the Town has taken to implement conservation/demand management strategies to the current time, our comments on Reading's NPC identified certain improvements to the Reading conservation and demand management program, while Reading uses MWRA on an "interim" basis and then for the long term. MEPA's jurisdiction "extends to water supply and broad issues of use and management." (Page 2 DROD, Sept. 14, 2006) The Scope generated by the Secretary's Certificate should also be held to the highest standard of conservation for the long-term application for MWRA water.

These considerations should ultimately be included in the MEPA, ITA conditions and in the Supplemental Final Certificate on the proposal (assuming its approval). It is clear that WSCAC and others interested in high levels of water efficiency, within increasing interbasin transfer requests to the MWRA, cannot depend on the MWRA to implement stringent controls on these new, suburban water users, although certainly the Secretary through decisions of MEPA and the Water Resources Commission could throw the ball back into MWRA's court and require it to include into its service contracts with new user communities, more stringent conditions of conservation and water use – especially outdoor uses. In its contracts, MWRA refuses to take responsibility for implementation and/or enforcement of the state's new Water Conservation Standards, and although we are aware, and sometimes actually sympathetic, that MWRA was not explicitly given such planning and enforcement powers, it has a unique responsibility for the stewardship of its vast, publicly-owned resources and the power to set down regulations, as it has done for leak-detection and repair. (360 CMR 12). Every year MWRA issues sewer use permits. Something such as this might be offered on the water-side for new communities and those partially supplied, or in stressed basins where sewer use may be depleting water supplies to other communities.

Thirty-six MWRA communities charge ascending block rates (some with a base rate) for water supply service to residential and other user types. Reading does not. Although its water use rate is high, it should have an ascending or seasonal rate at a minimum. We are not sure if Reading prohibits private irrigation wells. It should or it should meter these and charge a separate and higher rate. Reading has said that it is doing annual lead detection and repair. MWRA's regulations require every two years, a full once-through of a water system. Reading should continue to do such leak detection and repair regardless.

Readings should be asked to drop its odd/even day water use program during the warm weather season and instead limit watering to two days a week and only during those hours of 6-9 pm and 5 to 8 am. The revisions to the towns plans included in the Final EIR are unclear as to whether Reading would be implementing any outdoor use controls during the outdoor season. At the last WRC meeting the Town Manager Peter Heckenbleikner said Reading would continue all aspects of its conservation program – I am still unclear if these outdoor use controls are included. Does the Reading Selectboard or DPW have the power to declare a “water conservation” emergency? That is the new power that DEP has authorized communities to take upon themselves to reduce use without a full DEP emergency declaration. Reading should develop its outdoor use bylaws so that it invokes such measures for reduced outdoor uses routinely and implements controls when summer use reaches the 1.2 to 1.0 ratio promoted by the DEP Water Management Policy.

By a quirk of history, the MWRA has been promoting sale of its water at a time when many suburban communities are just beginning to think about growth impacts. MWRA's water is an incredible “emergency” resource for communities connected to it but who are not user communities. Centralizing small water systems onto MWRA as permanent members is moving in the wrong direction in our time of terrorism and out-of-control growth in some regions of the state adjoining the MWRA service area.

Admission on an interim or permanent basis should not result in the lessening of outdoor use controls. We are all well past the time when anyone considers the MWRA's original core urban communities the same type of water users as its suburban communities or new admissions (just look at Boston's 47 rpgcd vs. Weston's 112). The use within urban areas of residential and all

other uses has been declining since the late 1980s. Suburban areas, without adequate zoning, without adequate growth controls and without adequate water resources are sprawling with large lots and increased sewerage.

The Quabbin and Wachusett Reservoirs, although trapping and storing a great deal of water, should be restricted to uses that require 'potability,' with wasteful uses severely restricted. We are keenly aware of the need for fine outdoor environments at our homes and public spaces. However, much can be done to that end with creativity and without the waste of potable water supplies.

We hope that the WRC will comment in its votes on the Reading case on the need to proceed with investigation of the MWRA's required releases to the Swift and Nashua rivers, and its 85 mgd diversion trigger on the Ware River – are these sufficient in volume or management protocol to fulfill the ITA requirement to maintain "reasonable instream flow" in the donor basin? And while we recognize that no one to date has suggested that Reading alone be held to the investigation of this matter, the Certificate asks it to contribute to the process. It is incumbent upon MEPA and the WRC to memorialize this very contentious issue and begin to grapple with it. It should not be shunted into the future while the votes to increase the number of MWRA's member communities continue.

Very truly yours,

Eileen R. Simonson
Co-Executive Director