

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

RICHARD K. SULLIVAN JR.
Secretary

KENNETH L. KIMMELL
Commissioner

September 6, 2011

Paul Colby
Byfield Water District
P.O. Box 64
Byfield, MA 01922

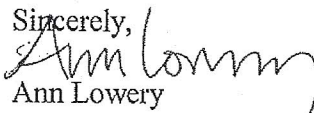
RE: Byfield Water District–Parker River
Basin
Towns of Georgetown, Groveland, and
West Newbury
Program: Water Management Act
Action: DRAFT 5-Year Review and
Water Withdrawal Permit Modification
Permit #9P2-3-16-205.01

Dear Mr. Colby:

Please find attached the following:

- Findings of Fact in Support of the Draft Modified Permit Decision; and,
- Draft Water Management Act Modified Permit #9P2-3-16-205.01 for the Byfield Water District, Massachusetts.

The Department anticipates issuing the final permit on October 10, 2011. Please review the draft permit. If you have any questions regarding the draft permit and would like to meet and discuss them prior to final issuance, please contact Jen D'Urso at 617-654-6591.

Sincerely,

Ann Lowery
Deputy Assistant Commissioner
Bureau of Resource Protection

Enclosures

Cc: Parker River Watershed Council, 60 Island Street, Suite 211-E, Lawrence, MA 01840
Jennifer Pederson, Massachusetts Water Works Association, P.O. Box 1064, Acton, MA 01720 (email)

Y:\DWP\NERO\Byfield Water District-WMA - DRAFT 5 Year Review Permit 9P2-3-16-205.01-WMA-8-29-2011

Communication for Non-English Speaking Parties (310 CMR 1.03(5)(a))

English

This document is important and should be translated immediately.

Spanish

Este documento es importante y se debe traducir inmediatamente.

Portuguese

Este original é importante e deve ser traduzido imediatamente.

Italian

Questo documento è importante e dovrebbe essere tradotto immediatamente.

Greek

Αυτό το έγγραφο είναι σημαντικό και πρέπει να μεταφραστεί αμέσως.

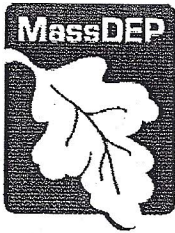
French

Ce document est important et devrait être traduit immédiatement.

Chinese (traditional)

這個文件重要和應該立刻被翻譯。

这个文件重要和应该立刻被翻译。



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DRAFT Findings of Fact in Support of the Amended Permit Decision Water Management Permit #9P2-3-16-205.01

The Department of Environmental Protection ("MassDEP" or "the Department") has completed its review of the Byfield Water District's Water Management Act permit based upon your response to the May 24th, 2011 MassDEP Order to Complete ("OTC"). This review was conducted in regard to your permit for the Byfield Water District ("BWD") to withdraw water from the Parker River. The Department hereby modifies the Water Management Permit #9P2-3-16-205.01 (the "Permit") in accordance with the Water Management Act (M.G.L. 21G). The Department makes the following Findings of Fact in support of the attached draft permit, and includes herewith its reasons for modifying the permit and for the conditions of approval imposed, as required by M.G.L. c.21G, s. 11 and 310 CMR 36.00. The draft permit is being issued since such action is necessary for the promotion of the purposes of MCL c. 21G. The Department may modify, suspend or terminate the permit, after notice and hearing, for violations of its conditions, of M.G.L. c. 21G, or of regulations adopted or orders issued by the department, and when deemed necessary for the promotion of the purposes of the Water Management Act.

Byfield Water District's Water Withdrawal History

This permit does not authorize an increase in water withdrawal volume. Byfield Water District's authorized withdrawal volume under its Water Management Act (WMA) Permit will continue to be an annual average daily volume of 0.17 million gallons per day (MGD) previously registered in the Parker River Basin.

The Water Management Act

General Permit Factors


The Water Management Act requires that MassDEP issue permits that balance a variety of factors including:

- Reasonable protection of existing water uses, land values, investments and enterprises;
- Reasonable conservation consistent with efficient water use;
- Reasonable protection of public drinking water supplies, water quality, wastewater treatment capacity, waste assimilation capacity, groundwater recharge areas, navigation, hydropower resources, water-based recreation, wetland habitat, fish and wildlife, agriculture, flood plains; and
- Reasonable economic development and job creation.

To better achieve the balance of competing water uses mandated by the WMA, MassDEP incorporates the requirements of the 2006 Water Conservation Standards, adopted by the Water Resources Commission

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD Service - 1-800-298-2207.

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

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