

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

August 30, 2011

Mr. Glenn Smith
Georgetown Water Department
One Moulton Street
Georgetown, MA 01833

Permittee: Georgetown Water Department
PWS ID # 3105000
WMA Permit #9P-3-16-105.01
Action: 5-Year Review Permit Modification

Dear Mr. Smith:

Please find the attached documents:

- DRAFT Permit Modification #9P-3-16-105.01 for the Town of Georgetown in the Parker River Basin.
- DRAFT Findings of Fact in support of the Permit Modification Decision.

Your letter of July 22, 2011, to Elizabeth McCann of the Water Management Program included several comments and questions concerning the proposed permit modifications. The permit modifications are described in detail in the Findings of Fact and the draft permit, and in response to your specific comments:

1. MassDEP agrees that Georgetown is likely to meet the new RGPCD standard, and has noted that;
2. The requirement to develop an offset feasibility study will be triggered only if Georgetown's water use rises above a baseline based on 2005 water use; and
3. The Seasonal Limits on Nonessential Outdoor Water Use are described in detail in Special Condition 8 of the draft permit. MassDEP has included the standard hours of "before 9 am and after 5 pm" in this draft permit, and included language stating that towns can always impose stricter limits on water use. The USGS stream gage at Byfield is used to trigger water use restriction in this permit. All WMA permits use USGS stream gages because this ensures that the most reliable and consistent streamflow information is available to all permittees statewide. A summary table of the days when streamflow fell below the trigger in 2009, 2010 and early 2011 is enclosed.

Comments regarding this draft permit shall be accepted through close of business on **September 23, 2011**.

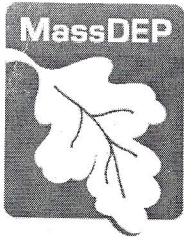
Sincerely,

A handwritten signature in cursive script that reads "Ann Lowery".

Ann Lowery, Deputy Assistant Commissioner
Bureau of Resource Protection

Cc: Tom Mahin, MassDEP, DWP Chief, NERO
Georgetown Board of Selectmen, One Library Street, Georgetown, MA 01833
Parker River Clean Water Assoc., PO Box 798, Byfield, MA 01922 ✓
MWWA, via email

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Findings of Fact in Support of DRAFT 5-Year Permit Modification Georgetown Water Department Water Management Permit # 9P-3-16-105.01

The Massachusetts Department of Environmental Protection (MassDEP) has completed its 5-year review of the Georgetown Water Department's (Georgetown's) Water Management Permit Act Permit in the Parker River Basin. This review is conducted as a compliance review to ensure that the terms of the permit and the goals of the Water Management Program are being met.

To further those goals of promoting adequate protection for public water supplies and appropriate water use in the Commonwealth, MassDEP was given authority to modify permits at any time when it determines that such action is necessary for the promotion of the purposes of the Act, 310 CMR 36.29(2). MassDEP consulted with its Advisory Committee, created by the Act to represent the views of the water users and other interested parties, to determine what modifications were appropriate in the 5-year review. The Advisory Committee recommended that MassDEP modify permits as necessary to include performance standards and conservation requirements that meet the minimum standards established by the Massachusetts Water Resources Commission, and summer nonessential outdoor water use restrictions designed to protect aquatic resources in the Parker River Basin.

After reviewing the information that you have provided in response to MassDEP's Order to Complete, June 27, 2011, MassDEP hereby modifies Water Management Act permit #9P-3-16-105.01 in accordance with the "Water Management Act" ("the Act"). MassDEP makes the following Findings of Fact in support of the attached permit modification, and includes herewith its reasons for approving the permit and for the conditions of approval imposed, as required by M.G.L. c21G, s.11, and the "Massachusetts Water Resources Management Program", 310 CMR 36.00 ("the Regulations").

Georgetown Withdrawal History

Georgetown holds Water Management Registration #3-16-105.01 for an average daily withdrawal volume of 0.43 mgd and Water Management Act Permit #9P-3-16-105.01 for an additional average daily withdrawal of 0.32 mgd, for total authorized withdrawals of up to 0.75 mgd.

Withdrawals since the 2002 permit review have been:

	2010	2009	2008	2007	2006	2005	2004	2003	2002
Reported withdrawals	0.68	0.60	0.74	0.78	0.66	0.64	0.58	0.60	0.55

Water use peaked in 2007 at 0.78 mgd, slightly above the authorized withdrawal volume. However, Georgetown has taken steps to bring withdrawal within the authorized volume and has brought withdrawals down to 0.68 mgd in 2010. Steps taken have included:

