



MYSTIC RIVER WATERSHED ASSOCIATION  
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Vandana Rao  
Executive Office of Environmental Affairs  
100 Cambridge St., Suite 900  
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Dear Ms. Rao

The Mystic River Watershed Association is pleased to be able to comment on the Water Policy Task Force's draft recommendations. While we appreciate the broad scope of recommendations, we found them to place a heavy emphasis on water supply issues and to pay less attention to the challenges of urbanized watersheds. For example, MyRWA believes that water quality-impaired waters should be addressed more thoroughly in the Task Force's recommendations. Communities with waterbodies that are impaired by bacteria discharged through Combined Sewer Overflows (CSOs) should be identified and directed to meet specific performance standards regarding the reduction of stormwater and capping the amount of sewage conveyed in leaky or combined systems.

Another issue that was not covered in the Task Force's recommendations regards the Commonwealth's stormwater policy. Densely-developed urban areas like those found within the Mystic River watershed require higher standards than are currently applied by the Department of Environmental Protection (DEP). MyRWA believes that the policy should be revised so that proponents of projects in areas that are prone to flooding and CSO discharges are required to make a larger contribution than to "just make it better." Proponents of redevelopment projects, especially in urbanized watersheds, should be held to the most rigorous stormwater standards or be required to provide evidence on why they can't meet those standards. In addition, the Commonwealth needs to review the effectiveness of its stormwater policy in redevelopment areas to see if the policy is meeting the stated goals.

Lastly, MyRWA would like to emphasize that many of the communities within the Mystic River watershed do not have the financial and technical resources to address water quantity and water quality issues. MyRWA requests that the Task Force evaluate the implications of its recommendations on communities that contain Environmental Justice neighborhoods, and consider ways to make additional resources available to support these communities. Otherwise, there will inevitably be a gap in the degree to which local governments are able to achieve the state's water quality goals, which will

widen the existing Environmental Justice disparities.

MyRWA offers the following comments on specific recommendations proposed by the Water Policy Task Force:

**Recommendation 1** MyRWA agrees with the recommendation that mitigation ratios be made more stringent for communities that have water quantity or water quality issues. MyRWA suggests that the Task Force expand the definition of a “stressed” community to include those with documented flooding and impairments due to CSO discharges. Bacteria associated with CSO discharges prevent communities from enjoying the designated uses (e.g., fishing, boating, swimming) of the Mystic River and its tributaries. In addition, some communities (e.g., those adjacent to Alewife Brook) have issues with flooding that are exacerbated by the bacteria and additional volumes of water flowing from CSOs and stormwater outfalls and eventually into residents’ yards and homes. MyRWA recommends that new development or redevelopment in watersheds in which there are known CSOs and/or flooding be held to aggressive infiltration and inflow (I/I) removal ratios. The 4:1 ratio often required by DEP in communities serviced by the Massachusetts Water Resources Authority (MWRA) is not sufficient to reduce the water quantity and quality stresses in urbanized watersheds into which large volumes of stormwater and combined sewerage flow. Aggressive reductions of I/I should increase the ability of communities with impaired waters to store and treat stormwater and wastewater rather than discharge it untreated to surface waters. In addition, I/I reductions will augment the watershed’s natural ability to infiltrate rainfall, thereby increasing retention times and reducing the risk of flooding. MyRWA recommends that in extreme cases (i.e., where I/I rates are high and the combination of CSOs and contaminated stormwater result in violations of water quality standards), moratoria on new hookups should be considered. MyRWA suggests that communities with flooding and waterbodies impaired by bacteria due to CSOs be given priority in the Commonwealth’s funding opportunities.

**Recommendation 3** MyRWA agrees with the Task Force’s recommendation to establish a policy on the operation and maintenance of stormwater and sewer infrastructure and will support legislation that will enable communities to establish enterprise accounts to fund these efforts. Additionally, MyRWA believes that the Task Force should establish standards for how often a community must inspect and repair its wastewater and stormwater collection and conveyance systems. For example, a certain portion of the system should be inspected and repaired each year.

**Recommendation 4** MyRWA supports the recommendation to encourage communities to recharge treated wastewater but asks the Task Force to consider that additional recharge might exacerbate flooding issues in certain situations. MyRWA will strongly support efforts to encourage commercial and industrial facilities to re-use treated wastewater. Water reuse will help reduce flows to combined systems and should aid in reducing CSO discharges in our urbanized watershed.

MyRWA supports the recommendation to conduct research that will improve the removal of endocrine disruptors and pharmaceuticals.

**Recommendation 5** MyRWA agrees with the Task Force that stormwater recharge should be promoted outside of NPDES Phase II areas. However, MyRWA also feels that more can be done to promote stormwater recharge within NPDES Phase II areas. While these areas are more urban and highly developed, there are certainly projects within these areas where infiltration could be promoted in parking lots, roadway medians and borders, and within the landscaping adjacent to industrial parks. MyRWA recommends that the Task Force require NPDES Phase II communities to document how they have promoted stormwater recharge.

MyRWA agrees that the Massachusetts Environmental Protection Act (MEPA) process is one opportunity for the Commonwealth to promote Low Impact Development (LID) techniques. Should MEPA be given this charge, MyRWA suggests that it require applicants to evaluate LID stormwater management alternatives so that the Commonwealth's agencies and the public, in addition to the proponents, may compare the benefits of LID techniques to traditional stormwater management and provide appropriate input to MEPA.

**Recommendation 13** MyRWA believes that there are many ways that an increased partnership with the MassHighway Department could help in outreach opportunities (e.g., signage communicating the boundaries of the watershed) and habitat restoration (e.g., maintaining culverts and controlling sediment entering shallow waterbodies).

**Recommendation 15** MyRWA supports reclamation and re-use of graywater.

**Recommendation A-1** MyRWA supports the effort to coordinate withdrawal and discharge permits on a watershed basis. In the lower Mystic River, there are a number of permitted activities (e.g., Exelon Mystic Station's cooling water withdrawal, stormwater discharges from numerous oil terminals, CSO discharges) whose cumulative impact to the biota of the Mystic River is unknown.

MyRWA would like to thank the Water Policy Task Force for this opportunity to comment and looks forward to working with the various Commonwealth agencies in implementing these recommendations.

Sincerely,

Nancy Hammett  
Executive Director