

BY FAX AND MAIL

June 22, 2007

Ian A. Bowles, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, 9th Floor
Boston, MA 02114

Attn. Nicholas Zavalas, MEPA Unit

Re: *EOEEA #12348, Assabet River Consortium draft CWMP/DEIR*

Dear Secretary Bowles:

As members of the environmental community concerned with the health and long-term sustainability of the Commonwealth's water resources, we submit the following comments on the draft Comprehensive Wastewater Management Plans (CWMPs)/Draft Environmental Impact Reports (EIRs) submitted by the Assabet River Consortium. We request that you require further analysis in the Final CWMPs/EIRs of alternatives to increasing centralized sewer flows to the Marlboro WWTP, including inflow and infiltration removal, water reuse and conservation, and groundwater discharge in stressed sub-watersheds.

The MEPA process has provided the framework for the Assabet Consortium communities to undertake watershed-based planning. This approach provides the opportunity to address water resource use on a scale that makes sense ecologically, economically, and socially. Unfortunately, this opportunity has not resulted in plans that fully meet this objective.

We support the upgrades of wastewater treatment facilities (WWTFs) to remove phosphorus to meet the requirements of their NPDES discharge permits under the Clean Water Act. Technologies are now available to achieve a high level of nutrient removal from effluent, which will result in significant improvement of surface water quality. The Final EIRs will document the phosphorus-removal levels achieved.

Significantly, however, the draft CWMPs fail to propose actions that will in fact restore the water balance in the watershed. While several communities have successfully limited sewer expansion, they have failed to propose any actions that will restore flow in the stressed subwatersheds within their borders. In the case of Northborough, proposed sewerage, coupled with reactivating town wells, will result in a serious water deficit. Overall, the net result of the CWMPs will be a continued dewatering of tributary sub-watersheds through groundwater withdrawals, and wastewater transfer to the Assabet mainstem and thence to the Atlantic Ocean.

Groundwater modeling by USGS of the Assabet watershed (*Simulation of Ground-Water Flow and Evaluation of Water-Management Alternatives in the Assabet River Basin, Eastern Massachusetts*, SIR 2004-5114) shows that further sewerage, as proposed by Northborough, coupled with permitted levels of groundwater withdrawals, and surface water discharges of wastewater, will result in significant loss of streamflow, exacerbating the stress on surface water resources. This is the wrong direction for community development: it undermines smart growth principles and leads to suburban sprawl and unsustainable water resource use. The USGS study shows that this is likely to lead to loss of wildlife habitat, and particularly fisheries, drinking water supplies, and wastewater assimilation capacity of the Assabet River.

Of great concern is the City of Marlborough's proposal to expand the Marlborough Westerly WWTF to handle an effluent discharge increase of 1.5 mgd, including 0.7 mgd from Northborough. Since the Assabet is not now meeting water quality standards, increasing the loading of the very pollutant that is causing the impairment runs afoul of the anti-degradation provisions of the Federal Clean Water Act (Section 301(b)(1)(C)) and Massachusetts Surface Water Quality Standards (314 CMR 4.05). If approved, this would set a dangerous precedent for all surface waters in the Commonwealth.

The EPA-approved TMDL study, *Assabet River Total Maximum Daily Load for Total Phosphorus*, EOE, Report no.: MA82B-01-2004-01, shows that, even with the current WWTF load allocations, the Assabet River will not meet water quality standards until phosphorus recycling from the river sediment is reduced by 90%. Since there has been no such reduction of phosphorus from the sediment, increasing wastewater, and hence phosphorus, discharges undermines the eventual attainment of water quality standards.

Several alternatives to the proposed increase in effluent discharge from the Marlborough Westerly WWTF to the Assabet River have not been adequately evaluated. In your certificate we ask that you require evaluation of alternatives involving wastewater reduction. Infiltration of treated wastewater locally will eliminate increased loadings to the mainstem and provide needed flow to Assabet tributaries. We do not believe that Scenario A1, discharge of 4.4 mgd to the Assabet River, complies with MEPA's requirements to avoid, minimize or mitigate damage to the environment to the greatest extent practicable.

An important outcome of the CWMP process should be ensuring the sustainability of water resources – sound decisions now will ensure that the ecological health of the watershed is restored and protected while supporting economic development in the region. Since many rivers in the Commonwealth suffer from eutrophication due to point-source nutrient pollution and/or low streamflow, decisions on the proposed CWMPs could have statewide ramifications. We hope you will require further analysis of alternatives in your certificate on the DEIR.

Sincerely,

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