

Request for Approval

Under the Interbasin Transfer Act

Criteria Used to Evaluate an Application

- Criteria that must be met (although not all of them may be applicable to the project)
 - Completion of the MEPA Process
 - All viable in-basin sources in the **receiving** basin must have been developed or ruled out as not viable
 - All practical water conservation measures must have been implemented in the **receiving** basin
 - For existing surface water sources in the **receiving** basin, a forestry management plan must have been implemented
 - Reasonable in-stream flow in the **donor** basin must be maintained
 - For groundwater transfers from a **donor** basin, a pumping test must be conducted and provided with the application
 - Cumulative impacts to the **donor** basin must be considered

Process

- A full application for approval under the ITA triggers an EIR under the MEPA process. The Commission uses the EIR as its ITA application
- The WRC has developed Scopes to address ITA issues through the EIR process
- The Act and regulations require that the MEPA process be completed *BEFORE* the Commission can hold public hearings or make a decision on an application for approval

Timeline

- The Secretary's Final Certificate on the EIR must be issued
- All information requested for ITA review (generally through the MEPA process) must have been received
- The WRC must accept the application as complete
- The Commission then has 60 days to hold 2 public hearings, one in the donor basin and one in the receiving community.
- Staff recommendation to approve or deny the application made at next possible Commission meeting

Timeline (continued)

- Within 2 weeks of presentation of the Staff Recommendation, an additional public hearing is held
- A decision **MUST** be made within 60 days following the close of the final public hearing
- This deadline can only be extended through the written consent of **BOTH** parties

More Timeline

- Once the WRC makes a decision on the application, it has 30 days to file a written report of the findings and justifications of its decision with the clerks of the House of Representatives and the Senate, and with the Secretary of State for publication in the *Massachusetts Register*.
- The regulations also require that the decision is sent to proponent of the transfer as well as the affected donor and receiving basin communities.
- In addition, notice of the availability of the decision will also be posted in the *Environmental Monitor*. The notice of availability will have a link to the website where the decision is posted.

Web Site

- <https://www.mass.gov/interbasin-transfer-act>

Questions?