

Cotuit Water Department Irrigation Regulation (July 12, 2021)

Purpose & Preamble

The purpose of this Regulation is to maximize conservation of the public water supply, to protect streams and wetlands near the wellfields, and to enable the Cotuit Water Department to continue to provide sufficient high quality drinking water and dependable fire-fighting flow. During the summer months water demand reaches its peak and approaches the capacity of the system. An estimated half (50%) of the water consumption during the summer is used for lawn irrigation.

Groundwater modeling conducted by the United States Geological Survey (USGS), as refined in 2021 by our consultant Sole Source Consulting,¹ shows that peak summer pumping rates are exacerbating drought conditions in Little River and its associated wetlands by diverting groundwater flow from the stream to the wells. Peak summer pumping reduces the flow rate in the Little River by as much as 32% in the area of Sampson's Mill Road. Reduced stream flow in Little River causes significant impacts to the aquatic habitat, water quality in Cotuit Bay, and the commercial oyster beds and other shellfish resources.

Enabling Authority

In accordance with Article IX, Section 2 of the By-Laws of the Cotuit Fire District, the Cotuit Water Commissioners hereby adopt this Regulation. Article IX states, "The Water Commissioners shall have the care, custody, management, and control of all the property, real and personal, relating to the Water Department; shall have authority to determine and establish from time to time a schedule of water rates; and make rules and regulations for the introduction and use of water. The

¹ Hydrogeologic Technical Report Groundwater Modeling Project of Groundwater Surface Water Interaction of the Little River and the Cotuit Wellfield, Sole Source Consulting LLC, Centerville MA, April 19, 2021

Water Commissioners or their assistants² may enter upon the premises of any water taker to examine apparatus to ascertain the use to which the water is applied or to find or stop any waste.”

Regulation

I. As of **July 1, 2021** the Cotuit Water Department shall not allow any new automatic, in-ground irrigation systems to be connected to the water supply system except as provided in Section III.

II. Existing customers of the Cotuit Water Department that have an existing automatic irrigation system are encouraged to install on-site private wells as an alternative source of water for landscaping purposes and to disconnect those systems from the public water supply.

Alternate language as suggested by TH: Additionally, all existing in-ground automatic irrigation systems are encouraged to install, maintain, and monitor state of the science water conservation equipment as part of their systems. These may include functional timers, smart controllers, and soil moisture sensors. If staying on the Department’s system for irrigation needs, customers with existing in-ground irrigation systems are asked to install new meters voluntarily. Existing in-ground system customer’ metered irrigation water volumes will be added on to their domestic household use and will be charged fees consistent with our rate schedule.

III. The Board of Water Commissioners will consider continued use of public water for irrigation and the installation of new in-ground irrigations systems at the sole expense of the property owner if said property owner installs a separate water meter for their irrigation system and pays for that water at the highest rate established by the District as shown in Appendix A (i.e., the rate for gallons above 200,000 in any given 6-month period.) Any such system will be required to include

² This sentence was modified by the Annual Meeting in May 2021—use that revision here.

specific water conservation elements and will be subject to annual inspections.

IV. Exemptions - Food Preparation Organizations/Essential Usage

At the beginning of each calendar year, the Water Commissioners shall establish a list of service accounts that are determined to be exempt from the 2021 change in rates for the top three tiers (see Appendix A) and instead shall be charged using the rates established in 2019 for each tier. These accounts shall be determined to be exempt based on their contribution to the Cotuit community in providing prepared food for retail or on-grounds consumption, or other significant public benefit. The Water Commissioners' discretion in revising the exemption list annually or the associated rates shall be determinative. Account holders may petition the Water Commissioners for acceptance as an exempt organization at the start of each calendar year.

V. Fines & Enforcement

The Regulation also establishes a schedule of fines for customers who violate any of the mandatory irrigation regulations. The fines begin with a warning for the first offense, a \$250 fine for the second offense, and a \$500 fine for the third or subsequent offense and can culminate in the discontinuation of water service related to irrigation for repeat offenders. Fines are levied under this Regulation on the basis of reconnaissance by Water Department staff. For example, observation of irrigation during rain events will be deemed a violation.

Please contact us at the Cotuit Water Department for further assistance: (508) 428-2687.

THE BOARD OF WATER COMMISSIONERS RESERVES THE RIGHT TO INSTITUTE A BAN OF ALL OUTSIDE USE DURING PERIODS OF WATER EMERGENCY AS DEFINED BY THE

COMMONWEALTH OF MASSACHUSETTS MGL Part I, Title II,
Chapter 21G, Section 15.

Appendix A: Proposed Rate Schedule Usage is for a 6-month period.

Up to 10,000 gallons = Min Use \$40.00

10,001 – 20,000 gallons = \$4.00/1,000 gallons = \$40.00

20,001 – 40,000 gallons = \$5.50/1,000 gallons = \$110.00

40,001 – 60,000 gallons = \$7.15/1,000 gallons = \$143.00

60,001 – 100,000 gallons = \$15.00/1,000 gallons = \$600.00

100,001 – 200,000 gallons = \$20.00/1,000 gallons = \$2,000.00

200,000+ gallons = \$30.00/1,000 gallons

Example: 200,000 gallons of usage in a 6-month billing period would be calculated as follows.

+40.00+40.00+110.00+143.00+600.00+2,000.00 = \$2,933.00 each
additional 1,000 gallons would cost \$30 each.