MASSACHUSETTS
Rivers Alliance

The RIVER Advocate

HEALTHY RIVERS FOR PEOPLE AND WILDLIFE

FALL 2022

A SUMMER OF DROUGHT

This summer saw a severe drought across the entire state, and as of this writing, most of the state is still in drought. Drought is a climate resilience challenge that threatens the health of our rivers, their wildlife, our water supplies, agriculture, and even our state's ability to control wildfires. Climate scientists predict longer stretches of hotter, drier weather in our future, interspersed with intense but brief storms that send water running quickly off the land and into streams (rather than percolating into the soil to recharge aquifers). This is a recipe for drought. This issue of The River Advocate describes how Mass Rivers is working to increase climate resiliency in the face of drought.

Fuller Brook in Wellesley in the Charles River Watershed ran dry this summer. Photo by Lisa Kumpf.

Drought Bill Update

OUR TOP LEGISLATIVE PRIORITY ON BEACON HILL THIS SESSION WAS THE DROUGHT BILL, (H.898/S.530, An Act relative to maintaining adequate water supplies through effective drought management), sponsored by Senator James Eldridge and former Representative Carolyn Dykema. The bill would strengthen our current drought management system by implementing regional water conservation measures during a drought, replacing the town-by-town patchwork approach that yields insufficient results. This bill would allow the state to be proactive, rather than waiting until emergency strikes, by putting the state's 2019 Drought Management Plan into action.

Unfortunately, the drought bill did not pass this session, despite strong advocacy and the severe drought conditions occurring across the state. This is not the outcome we wanted - nor the one our rivers need.

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FALL 2022

From the Executive Director

SPEAKING UP FOR RIVERS IN THE FACE OF DROUGHT

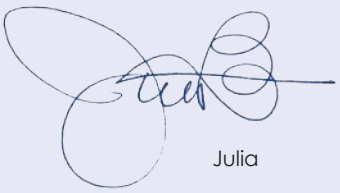
This summer, I had the privilege of speaking up for rivers on the state's Drought Management Task Force (DMTF). As one of only three public members of this agency-dominated state task force, my role was to show fellow task force members what drought looks like for rivers around the state: its impacts on animals, plants, recreation, and even public health. The task force met bi-weekly for most of the summer; before each meeting, we put out the call to our member groups: "How are your rivers doing? Send us your photos, and your stories."

The response was tremendous. We received photos, videos and detailed information from the Berkshires to Cape Cod, North Shore, South Shore, and everywhere in between. These images and stories found their way not only to the state's task force members, but also to newspaper readers, radio listeners, and television viewers around the state - and even across the country. As another face of climate change, our struggling rivers were suddenly newsworthy.

Raising awareness through the DMTF and the media is a worthy accomplishment. But to address the impacts of drought on our rivers and streams, we also need action. While the task force determines drought levels for the state's seven drought regions, it cannot mandate watering use restrictions. The state's 2019 Drought Management Plan includes escalating nonessential outdoor watering restrictions as a drought becomes more severe. But without statutory authority, these are merely recommendations. Passing the drought legislation (see p. 1) would connect the dots between the drought management task force, the drought plan, and action on the ground, by granting the governor authority to require water conservation when it's needed most. Mandatory restrictions would extend the life of our streams and water supplies during droughts.

The drought bill was reported favorably out of its committee this year, but failed to make it into law. I am hopeful that our strong, collective voice for rivers will get this bill past the finish line in the next legislative session.

Thank you for your support.



Julia

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However, we made progress. The drought bill moved out of the Joint Committee on Environment, Natural Resources, and Agriculture for the first time. We educated a new batch of legislators and Senate Ways & Means members on the bill, setting the foundation for the next session. We generated significant press on the impacts of drought, raising public awareness.

All of this was achieved through our community's persistence. Together, we spoke up for rivers and moved the bill further than it's ever gone before. Thank you for your advocacy.

So — where do we go from here? We will refile this bill in January, with our new House co-sponsor, Rep. Joan Meschino, who stepped up to fill the gap left by Rep. Dykema's departure from the legislature this spring. There is strong bipartisan support for this bill in the legislature, and with your help, we will continue to keep them engaged. Here's to passing the drought bill in 2023!

While padding the entire Blackstone River from Worcester to Providence in August, paddlers had to walk across dry sections of the river. Photo by Stefanie Covino.

Water Management Act Program Changes Leave Waterways High and Dry

Since 1986, the Department of Environmental Protection's (MassDEP) has been responsible, under the Water Management Act, for striking a balance between human water needs and the health of the environment. In 2010, recognizing that the state's water allocation regulations were failing to protect streamflows, the state undertook a nearly four-year process to update those regulations and improve the program.

How is it working? From our review of the 75 permits released since the regulations were updated in 2014, the answer is…it's not. Only half of renewed permits require actions for municipal and other large water users to offset the impacts of their withdrawals, and the vast majority of the actions taken have little to no actual benefit to improving streamflow on the ground (for example, giving "credit" for past land purchases or passing bylaws). The other half of permittees haven't been required to do any mitigation activities at all! MassDEP has identified many subwatersheds as "highly degraded" as a direct result of water withdrawals, presumably to protect them from further harm. But permittees, even in these at-risk watersheds, are not being held accountable for environmental damage caused by their water use. **MassDEP has failed to require a single water user to turn to a less-damaging water supply in any of the permits renewed thus far**.

In addition to assisting member groups in improving permits within their watersheds, we have been meeting with MassDEP and other state agency staff to share the findings of our analysis. We will continue to advocate for systemic changes to the permit renewal process and upholding the restoration goals of our environmental regulations. For more information, contact our Technical Specialist Sarah Bower (sarahbower@massriversalliance.org).

Avani Pai

Casey Goodwin

Gabriela Ackermann-Logan

Summer Interns Help With Three Programs

Mass Rivers Summer 2022 Communications & Outreach Intern Gabriela Ackermann Logan (BS Tufts '23) worked with Policy Specialist Katharine Lange to create outreach materials supporting our advocacy, as well as web content explaining the connection between water infrastructure and rivers. Summer 2022 Stormwater Technical Assistance Program Graduate Intern Casey Goodwin (MS Sustainable Water Management, Tufts '22) worked with Deputy Director Danielle Dolan and Technical Specialist Sarah Bower on reviewing municipal stormwater requirements and developing guidance for local practitioners. Summer 2022 Member Support Intern Avani Pai (Sharon High School, '24) helped us coordinate our summer organizational visits, joined some of our visits to help us take notes and photos while in the field, and then cataloged and analyzed those notes afterward. We've enjoyed working with this talented group of young people this summer!

MassDEP Tackling a Long-Standing Water Demand Issue

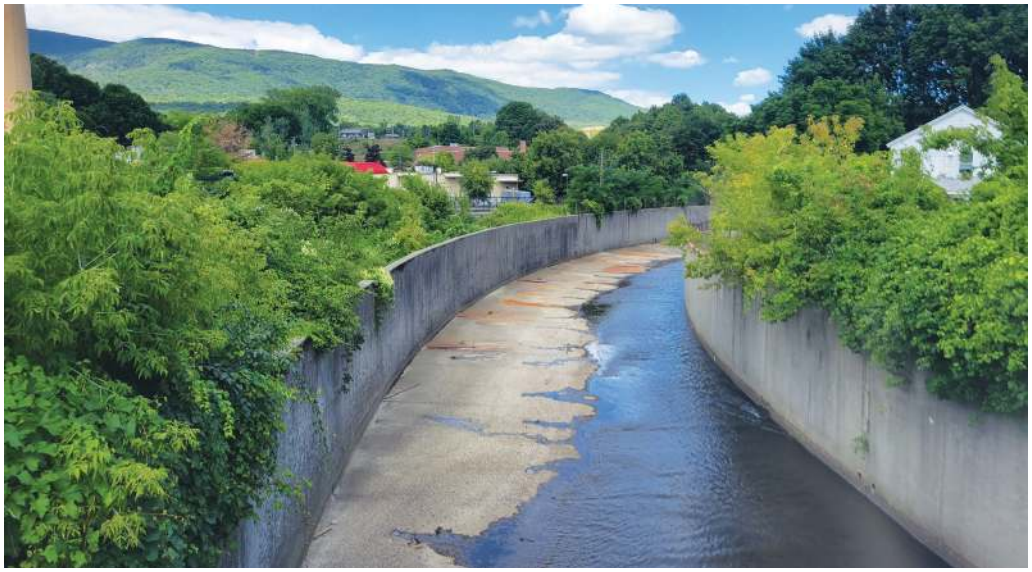
For over 35 years, more than half (60%) of large surface water withdrawals from Massachusetts' rivers and streams have been virtually unrestricted. This is finally about to change, in a way that should mean more water for our rivers when they most need it, and more sustainable water supplies.

Water users pumping over 100,000 gallons per day — such as municipalities, golf courses, and regional water agencies (e.g., Massachusetts Water Resources Authority, MWRA) — are regulated in two categories: "registered" and "permitted." Registered water users are not required to mitigate the impacts of their water use, or reduce use during droughts, as long as they don't exceed their baseline water allocation. And those allocations were not determined based on science, or balancing the needs of the user and the environment. They were simply grandfathered in when the 1986 Water Management Act went into effect. All registrations in the state are renewed every 10 years, on the same day. New water users (post-1986), on the other hand, are subject to permit restrictions and mitigation actions designed to better manage the state's limited water supplies (these are renewed every 20 years, on a rolling basis, so they vary, reflecting permitting changes over time). Leaving over half of our major water users unrestricted has resulted in further environmental harm, especially during drought conditions when rivers and streams are running lower than usual.

Recognizing this regulatory gap, Mass Rivers and Ipswich River Watershed Association teamed up in 2017 to legally petition Massachusetts Department of Environmental Protection (MassDEP) to revise its water allocation regulations by requiring water conservation measures for most users (including registration-only users) during a declared drought. Unfortunately MassDEP declined, and we pursued other means of protecting streamflow. We were pleasantly surprised in 2020, at the start of another drought year, when MassDEP announced it was proposing new regulations that would require registered users to conserve water (by restricting nonessential outdoor water use) during drought. This was very similar to our petition request - except that it exempts one of the largest water users, MWRA. The agency convened a stakeholder group to review the proposed changes, issued draft regulations, and then ceased the effort with no explanation.

After nearly several years of inactivity, MassDEP reconvened its statutorily empowered "Water Management Act Advisory Committee" to review the proposal. Mass Rivers' Executive Director Julia Blatt and two of its board members, Ian Cooke (Neponset River Watershed Association) and Wayne Castonguay (Ipswich River Watershed Association), had previously served on the advisory committee and were reappointed (they also served on an informal stakeholder group from the 2020 process).

This more formalized process has raised our hopes that the revised regulations may finally be adopted. Time is running short, though; all water registrations are scheduled to renew in Spring 2023, at which point it will be another 10 years before this opportunity comes back around. Conservation requirements for registered water users would be an important, and long overdue step forward for protecting streamflow, coordinating water policy, and sustainably managing water supply during drought. As of this writing, the revised regulations have recently been released, and are open for public comment. Mass Rivers and our organizational members will be submitting public comments again (in addition to those we submitted in 2020), and are cautiously optimistic that these revisions will go through prior to the spring renewal. Stay tuned for an update!



Low water levels in the Hoosic River in Adams this August. Photo by Katharine Lange, MRA Policy Specialist.

Massachusetts Rivers Alliance Organizational Members

Key Leadership Members (>$1,000)

Charles River Watershed Association
Ipswich River Watershed Association
Mass Audubon
Mass Org of State Engineers and Scientists (MOSES)
Mystic River Watershed Association
The Nature Conservancy
Neponset River Watershed Association
Trout Unlimited, MA-RI Council
Trout Unlimited, Nor'East Chapter

Leadership Members ($250-$999)

Association to Preserve Cape Cod
Berkshire Natural Resources Council
Center for Coastal Studies
The Charles River Conservancy
Connecticut River Conservancy
Conservation Law Foundation
Environmental League of Massachusetts
Groundwork Lawrence
Nantucket Land Council
Nashua River Watershed Association
North and South Rivers Watershed Association
OARS, for the Assabet, Sudbury, & Concord Rivers
Sea Run Brook Trout Coalition
Shawsheen River Watershed Association
Sierra Club Massachusetts Chapter
Sudbury, Assabet and Concord Wild & Scenic River Stewardship Council
Sudbury Valley Trustees
Taunton River Watershed Alliance
Trout Unlimited, Greater Boston Chapter
The Trustees of Reservations

Members (<$250)

Belmont Citizens Forum
Berkshire Environmental Action Team
Biodiversity for a Livable Climate
Blackstone River Coalition
Blackstone River Watershed Association
Buzzards Bay Coalition
Chicopee 4Rivers Watershed Council
Clean Water Action & Clean Water Fund
Deerfield River Watershed Association
Environment Massachusetts
Farmington River Watershed Association
Fort River Watershed Alliance
Friends of Belle Isle Marsh
Friends of Jerry's Pond
Friends of the Assabet River NWR
Friends of the Bass River
Friends of the Blue Hills
Friends of the Malden River
Friends of the Middlesex Fells
Friends of the Palmer River
Friends of the Ten Mile and Bucklin Brook
Greenbelt
Green Newton
Hoosic River Revival
Hoosic River Watershed Association
Hop Brook Protection Association
Housatonic Valley Association
Jones River Watershed Association
League of Women Voters of Massachusetts
Lowell Parks & Conservation Trust
Massachusetts Assoc. of Conservation Commissions
Massachusetts Land Trust Coalition
Massachusetts Watershed Coalition
Merrimack River Watershed Council
Millers River Watershed Council
The Muddy Water Initiative.
Ocean River Institute
Parker River Clean Water Association
River Merrimack
Runnins River Alliance
Save the Bay – Narragansett Bay Riverkeeper
Stockholm Environment Institute
Taunton River Wild & Scenic Stewardship Council
Ten Mile River Watershed Council
Trout Unlimited, Deerfield River Watershed Chapter
Trout Unlimited, Pioneer Valley Chapter
Wareham Land Trust
Wastewater Advisory Committee (WAC) to the MWRA
Water Supply Citizens Advisory Committee
Weir River Watershed Association
Westfield River Watershed
Westfield River Wild & Scenic Advisory Committee
Westport River Watershed Alliance

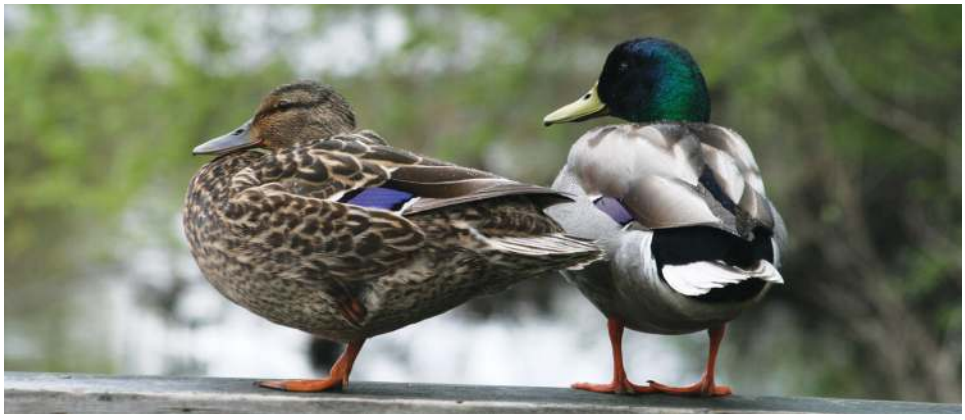


Photo by Mark Lindhult.

MASSACHUSETTS
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Massachusetts Rivers Alliance

Mass Rivers' mission is to protect and restore rivers across the Commonwealth.

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Danielle Dolan, Deputy Director
Katharine Lange, Policy Specialist
Sarah Bower, Technical Specialist
Gretchen McClain, Operations and Membership Manager

Thanks for celebrating with us!

A little rain didn't stop the party! We were so excited to host our second End of Summer Celebration, this past September 11. Over 150 friends and colleagues joined us for an afternoon of music, food, and community by the campfire at Hale Reservation in Westwood.

We recognized the work of several outstanding river heroes and one state agency for their accomplishments. Honorees were: Andrea Donlon (for her work with the Connecticut River Conservancy), Mass Audubon's Heidi Ricci, MA Fish and Game Commissioner Ron Amidon, and the MA Division of Ecological Restoration.

Mass Rivers Executive Director Julia (center) with River Hero Awardees Andrea Donlon (left) and Heidi Ricci (right).

We are grateful to all our raffle donors for helping make our event a success. Special thanks to Wachusett Brewing company, Paddle Boston, and Paul Beaulieu for especially generous donations.