



The RIVER Advocate

HEALTHY RIVERS FOR PEOPLE AND WILDLIFE

SPRING 2021



Nashua River, Photo by Stacy Chilcoat

LEGISLATIVE UPDATES

Sewage Notification Bill Signed into Law

After years of advocacy, we're celebrating a victory for public health and the environment! On January 12, Governor Baker signed the sewage notification (H.4921) into law, after the bill was approved by both chambers of the legislature right before the buzzer at the end of last session. The Massachusetts Department of Environmental Protection now has a year to finalize regulations, and until summer 2022 to put the law into action.

Many cities in the northeast have old infrastructure that sends both stormwater and sewage to the same treatment facilities. When there is a storm, the volume of stormwater and sewage can exceed the capacity of these sewer systems, and by design, the systems bypass the treatment facilities, sending a combination of stormwater and untreated sewage to the nearest river. Known as Combined Sewer Overflows, or CSO, these outfalls discharge an estimated 3 billions gallons of stormwater and untreated sewage into Massachusetts

waterways each year. Until now, there was often no way for the public to know when local waterways were contaminated with fecal bacteria. For residents of Massachusetts cities like Boston, Fall River, Lawrence, Lowell, and Springfield, the 181 sewage outfalls across our state pose a threat to both public health and water quality.

The new law requires sewer operators to notify residents when and where a sewage spill has occurred, within two hours of discovery of the discharge. The law applies to both combined sewer systems and sanitary sewer systems.

This legislation was a priority for Mass Rivers, and we are thrilled to see it become law. We'd like to thank the coalition of partner organizations, legislators, and municipal leaders who worked hard to gain passage of the law. Key to the bill's ultimate success were the bill's sponsors, Senator Jehlen (D-Somerville), Representative Campbell (D-Methuen), and recently-retired Representative Denise Provost (D-Somerville). We appreciate the early support of Senator Anne Gobi and Smitty Pignatelli, the former co-chairs of the Joint Committee on Environment, Natural Resources, and Agriculture, and the support of former House Speaker DeLeo and Senate President Spilka.

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From the Director

A BIG WIN - AND A FOCUS ON CLIMATE RESILIENCY

We started this year off with a win for the rivers, and for public health, with the dramatic end-of-session passage of our sewage notification bill (see page 1). A years-long journey that started with former state representative Denise Provost spotting what looked like raw sewage in the Mystic River (it was), ended on a much more genteel note, with a virtual signing ceremony by Governor Baker in March. The enactment of this bill took the proverbial village, and we were fortunate to have a village's worth of legislators, colleagues, members, and municipal leaders, and journalists to help along the way.

With rare exception, when I described the bill to people, the first question was "isn't that already a law?" Well, now it is. Beginning in 2022, you will be notified when there is raw sewage in your river, so you can keep yourself safe.

What's next? This year, all our work is focused on climate resiliency. We're reintroducing our drought bill, filed by Rep. Carolyn Dykema and Senator Jamie Eldridge, and we're supporting a new (to us) bill, to help the state better manage both aquatic and terrestrial invasive species, filed by Rep. Dave Rogers and Senator Pat Jehlen. The drought bill allows the state to require nonessential outdoor watering restrictions for everyone during a drought (and no, that isn't a law yet, either, even though it seems like it should be), and the invasive species bill addresses a growing problem for the environment, recreation, public health, and agriculture expected to worsen as the climate changes. In addition to our legislative work, we've kicked off a new program to help our member organizations protect streamflow, which you can read about on page 1. We're also serving as the "voice for the rivers" on state-led initiatives to improve mosquito control, identify and manage droughts, protect streamflow during droughts, and develop regulations for the new sewage notification system.

The second question I heard about sewage notification was, "Why is there sewage in rivers, anyway?" and "Can't you work on getting it out?". You can find the answer to the "why" question on page 1 of this newsletter, and the answer to that last question is yes, we can, and we should. For many reasons - including a welcome infusion of federal funding into our state - we think this is an excellent time to work on this challenge, and we hope to make real progress this year. Your support allows us to do this work, and we are so grateful.

Stay safe, enjoy the warm weather, and I hope to see you out on the rivers this summer.

Julia

Largest Ever Lobby for the Rivers Day!

March 18 was Mass Rivers' third and largest Lobby for the Rivers Day, with a new record of 150 attendees and over 70 meetings with legislators, all conducted virtually. The Opening Session featured remarks from



Opening session

both Chairs of the Joint Committee on Environment, Natural Resources, and Agriculture, Senator Rausch (D-Needham) and Representative Dykema (D-Holliston), both of whom restated their commitment to working on water issues with an emphasis on environmental and climate justice. We were also joined by past chairs of the ENRA Committee Senator Gobi and Representative Pignatelli, as well as other long time environmental champions Senator Eldridge, Representative Mirra, and new legislators Representative Erika Uyterhoeven, Representative Steve Owens, and Representative Rob Consalvo.



Advocates from the Neponset River Watershed Association meet with Rep. Fluker Oakley

River advocates from around the state met with their legislators to talk about drought, invasive species, and funding for state environmental agencies. Each priority bill had ten new legislator cosponsors by the end of the day! Mass Rivers also held a well-attended training workshop on March 16 to review the issues and

communication tips. For many participants, this was their first time getting involved in advocacy, while others are seasoned veterans. No matter the level of experience, everyone brought their local perspective and passion for rivers to the virtual halls of the State House. Check out photos of the day on our website!

Lobby for the Rivers Day occurs in the spring every two years, during the beginning of the state legislative session. It's a great opportunity to meet your state legislators and their staff, and connect with them on environmental issues that matter to you. Together we can be the voice for rivers! Thank you to all who attended and helped make it a success - we'll see you in 2023!

More budget good news for FY21

Despite a difficult year, the state budget for fiscal year 2021 ended up with significant increases for state environmental agencies! Mass Rivers appreciates the support from our legislators who approved these increases, which all go toward better stewarding our precious natural resources. Here's a breakdown:



Fore River, Photo by Robert Kearns

Department of Environmental Protection (DEP) - \$40,000,000 (increase of \$7,920,000 from FY20). DEP is responsible for maintaining clean water and clean air for Massachusetts. On top of their water quality monitoring grant program, toxic waste clean ups, and water permitting, they recently added to their workload testing public water suppliers for PFAS and developing a public notification system for sewage spills.

Division of Ecological Restoration (DER) - \$2,600,000 (increase of \$500,000 from FY20). DER has extensive technical expertise in removing dams, upgrading culverts, restoring cranberry bogs, and enhancing ecosystems across the state.

Department of Conservation and Recreation (DCR) - \$50,000,000 (increase of \$2,750,000 from FY20) With 400,000 acres of protected open space and over

2,000 miles of trails, DCR provides abundant recreational and education opportunities for our state to connect with our environment.

MassWildlife's Natural Heritage & Endangered Species Program (NHESP) - \$500,000 (increase of \$345,779 from FY20). This program from the Department of Fish and Game is charged with monitoring and protecting over 400 endangered or threatened plant and animal species. This includes public education and habitat protection.

We are working to maintain and increase this funding in fiscal year 2022 so state agency staff can continue to fulfill their mission to protect water, land, and air for all Commonwealth residents, especially in a time when we are connecting to our local natural spaces in record numbers.

Mass Rivers tech assistance helping protect river flows around the state

In November, Mass Rivers launched a new Technical Assistance program to help support our member groups' efforts to protect streams and rivers across the state. With this program, we're working to strengthen river advocacy for streamflow protection, climate resiliency, and environmental justice in Massachusetts. Our Technical Specialist, Sarah Bower, is spearheading the new program, with the guidance of a new "River Rescue" Technical Advisory Group, whose members have relevant legal, regulatory, and watershed organization expertise.



Sarah Bower working in Mosquito Brook in North Andover in Summer 2019

We are delighted to begin this program hitting the ground running! Our initial focus has been on assisting our member groups who wish to protect and restore streamflows through the state's Water Management Act (WMA). The WMA was enacted in the mid-1980s to regulate large surface water and groundwater withdrawals (100,000 gallons per day or more) in the Commonwealth. Permittees are primarily municipalities, golf courses, and other large water users. The regulations were revised in 2014 to include stronger protections for the environment, and require some permitted water users to reduce the impacts of their withdrawals on streamflow and aquatic habitat.



Male bald eagle, Charles River, Photo by Rick Olick

The updated protections still largely have yet to be implemented into WMA permits, due to delays in permit renewals under the Permit Extension Act. Since these permits are renewed only every 20 years, it can be a challenge for advocates to navigate the program. We are helping local watershed groups and other river advocates participate more effectively in the permit renewal process. This is a critically important opportunity to improve flow protection for rivers throughout the state, as one out of every five streams is running dry in the summer from excessive water withdrawals and increased droughts. This problem is exacerbated by drought, and droughts are predicted to increase in both severity and frequency in New England as the climate changes.

We're currently working with member groups from five priority river basins across the state and hope to eventually include more rivers (and their groups). If your organization would like technical support in advocating for healthier streamflows, please contact our Technical Specialist at sarahbower@massriversalliance.org.

MASSACHUSETTS RIVERS ALLIANCE ORGANIZATIONAL MEMBERS

Key Leadership Organizations:

Charles River Watershed Association
 Ipswich River Watershed Association
 Mass Audubon
 Mystic River Watershed Association
 The Nature Conservancy
 Neponset River Watershed Association
 Nor'East Chapter of Trout Unlimited

(Key Leadership Members pay dues of \$1000 or above)

Leadership Members:

Berkshire Natural Resources Council
 Center for Coastal Studies
 The Charles River Conservancy
 Conservation Law Foundation
 Environmental League of Massachusetts
 Greater Boston Chapter Trout Unlimited
 Hoosic River Revival
 MA RI Council of Trout Unlimited
 Mass Organization of State Engineers and Scientists
 Nashua River Watershed Association
 North and South Rivers Watershed Association
 OARS
 Sierra Club Massachusetts Chapter
 Sudbury, Assabet and Concord Wild and Scenic River Stewardship Council
 The Trustees

(Leadership Organizations pay Member dues between \$250 and \$1000)

Member Organizations:

Association to Preserve Cape Cod
 Belmont Citizens Forum
 Berkshire Environmental Action Team
 Biodiversity for a Livable Climate
 Blackstone River Coalition
 Boxborough Conservation Trust - INACTIVE ORG
 Buzzards Bay Coalition
 Chicopee 4Rivers Watershed Council
 Clean Water Fund
 Connecticut River Conservancy
 Deerfield River Watershed Alliance
 Deerfield River Watershed Chapter of Trout Unlimited
 Environment Massachusetts
 Farmington River Watershed Association
 Fort River Watershed Alliance
 Friends of Belle Isle Marsh
 Friends of the Assabet River National Wildlife Refuge
 Friends of the Bass River
 Friends of the Blue Hills
 Friends of the Malden River
 Friends of the Palmer River
 Friends of the Ten Mile and Bucklin Brook
 Green Newton
 Greenbelt
 Groundwork Lawrence
 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 Association of Conservation Commissions
 Massachusetts Land Trust Coalition
 Massachusetts Watershed Coalition
 Merrimack River Watershed Council
 Millers River Watershed Council
 Muddy Water Initiative
 Nantucket Land Council
 Ocean River Institute
 Parker River Clean Water Association
 Pioneer Valley Chapter #276 Trout Unlimited
 River Merrimack
 Runnins River Alliance
 Save the Bay - Narragansett Bay Riverkeeper
 Shawsheen River Watershed Association
 Sudbury Valley Trustees
 Taunton River Watershed Alliance
 Taunton River Wild & Scenic Stewardship Council
 Ten Mile River Watershed Council
 The Trust for Public Land
 Wareham Land Trust
 Wastewater Advisory Committee to the MWRA
 Water Supply Citizens Advisory Committee
 Weir River Watershed Association
 Westfield River Watershed Association
 Westfield River Wild and Scenic River Advisory Committee
 Westport River Watershed Alliance

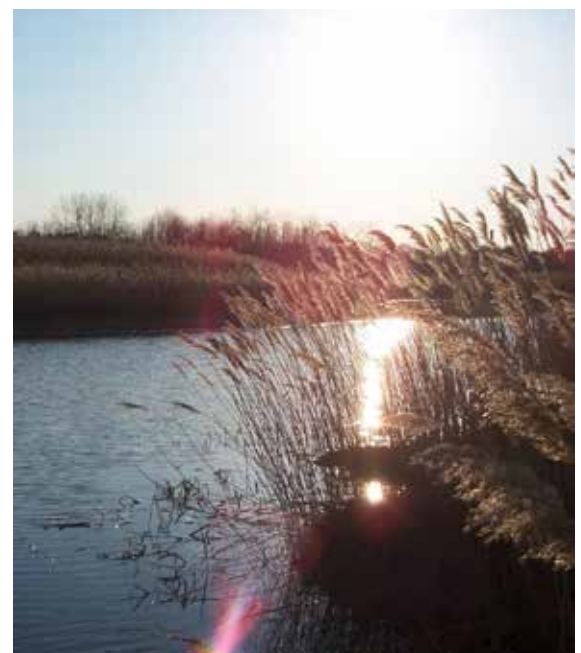
(Member Organizations pay Member dues less than \$250)

Sewage Notification Bill, continued from page 1

Our colleagues at Mystic River Watershed Association originated this legislation, and the bill also received strong support from the Neponset River Watershed Association, Merrimack River Watershed Council, Connecticut River Conservancy, Groundwork Lawrence, Environment Mass and Charles River Watershed Association. We also want to acknowledge the leadership of former Mayor Donna Holaday of Newburyport, who helped mobilize municipal support. Finally, we gratefully acknowledge our many organizational and individual members who reached out to their own legislators around the state, during Lobby for the Rivers Day, or in response to our action alerts - thank you, we did it!

Notification is only the first step toward getting sewage out of our rivers for good. This year, we will work with stakeholders to build support for needed municipal, state, and federal investment to modernize our water infrastructure. This is critical to environmental quality, public health and safety, and climate resiliency.

Mass Rivers will work closely with MassDEP as they create and roll out their regulations, website, and map of outfall locations. Stay tuned for more!



Neponset Estuary



MASSACHUSETTS Rivers Alliance

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Massachusetts Rivers Alliance

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

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Fore River, Photo by Robert Kearns

Thank you for supporting our work to preserve and protect our rivers.