



Water infrastructure bill signed into law

Massachusetts passed its first ever water infrastructure finance bill this summer, and the Massachusetts Rivers Alliance was instrumental in insuring new river protection provisions were included. The law provides significant new financial support to upgrade and replace the Commonwealth's aging water systems. While by no means a cure for municipal money woes or polluted rivers and coastal waters, it's a step forward. This is also the first serious legislative attempt in many years to address a growing, statewide crisis.

BACKGROUND. What is "water infrastructure"? Mostly invisible to us, it's the vast underground network of pipes, pumps, and treatment plants that collects, treats, and brings us our drinking water, and carries away, cleans, and discharges our wastewater and storm water. In Massachusetts, this infrastructure consists of 3,708 public water supply wells, 255 surface water supplies (reservoirs and rivers), and 21,000 miles of pipes, along with local and regional treatment facilities



Broken water main (installed in 1914) on Soldiers Field Road in Cambridge, 2011. Photo Courtesy of Massachusetts Water Resources Authority.

for both water and wastewater. Unfortunately, most of those pipes were installed from the late 1800's to the mid-twentieth century; many leak, and pose a risk of catastrophic failure.

For many years, water and sewer rates charged by towns and cities have failed to keep pace with cost of maintaining and replacing aging water infrastructure. A few years back, municipal and environmental advocates, alarmed by an ominous multi-billion dollar gap in municipal water infrastructure funding, urged the legislature to avert a looming economic and environmental disaster across the state. In response,

the legislature created a commission in 2010 to assess the problem and recommend solutions, co-chaired by Senator Jamie Eldridge and Representative Carolyn Dykema. The two lawmakers have since become the legislature's water infrastructure experts, and in 2011 the commission published a report that identified a \$21 billion problem and offered recommendations to solve it.

A stakeholder alliance group including municipal, industry, legislative and environmental stakeholders formed in 2012 to support enactment of the report's recommendations into law. As

Continued on page 3.

Clock ticking on new streamflow regulations

Over one-fifth of the Commonwealth's streams suffer from unnaturally low or even no flows during dry summers. Over the past five years, the Massachusetts Rivers Alliance has led the environmental community's involvement in shaping unprecedented new water use rules to address this problem. We and our member organizations around the state have brought robust advocacy on behalf of rivers to the state environmental agencies' intensive policy development process.

Now the Patrick administration is scrambling to get the

new water permitting regulations (developed under the Sustainable Water Management Initiative, or "SWMI") in place in the short time they have left. The proposed new rules are an important step forward for rivers and streams around the state. The new rules require that communities minimize existing impacts of water use, and if they are seeking to use additional water, they must mitigate the impacts of their new water use, in order to keep water flowing in rivers and streams. In other words, the rules are intended to keep healthy rivers from getting worse, and to improve rivers that no longer have healthy flows.

Continued on page 3.



OCTOBER, 2014

From the Director

WATER CONNECTIONS

I have loved rivers since I was a little kid. I am happiest in a canoe, on a warm, sunny day, paddling with my family down a familiar river, or discovering a new one. I love the way the world looks from a river. For

me, rivers are secret, hopeful pathways to a calmer, more peaceful existence, and a chance to observe wild creatures going about their normal business without disturbing them. I feel fortunate to live in a state that has so many interesting rivers to explore. This is why I was so happy to learn, over 25 years ago, that I could get a job protecting them.

Back then, I really didn't understand what it would take to restore a river to health. I imagined that protecting rivers would entail some meetings, a few river cleanups, and perhaps a few canoe trips (to check on things). I thought success would mean federal Wild and Scenic River designations, protecting land along the river, and a dam removal here and there.

Well, it did and it does, and these things are exciting and important. However, what I have learned since those early days is that all water is connected, and it's impossible to protect or improve rivers, streams, lakes, wetlands, estuaries, marine waters, and groundwater in an urbanized state like ours without wading into the big, unsexy area of water infrastructure. If we are serious about restoring our rivers to health, we need to improve the way we manage our wastewater, our drinking water supplies, and our stormwater.

Pollutants in stormwater and wastewater prevent more than half of our rivers from meeting the state's water quality standard of "fishable and swimmable," and withdrawals for water supplies drain not just our aquifers, but our rivers and streams in dry summers. Dams, pavement, and climate change make things worse.

In the past few years, we've taken on this enormous challenge, together with our member organizations and with the critical support of our individual members. We're asking: How can we integrate wastewater, stormwater, and water supply management in ways that make sense in the long term both for our environment and our economy?

The good news is that though we've been at this a very short time, we're beginning to see change. You can read about some of our recent achievements in this issue of the *RIVER Advocate*. Thank you, thank you for your support. We couldn't do this without you.

Julia

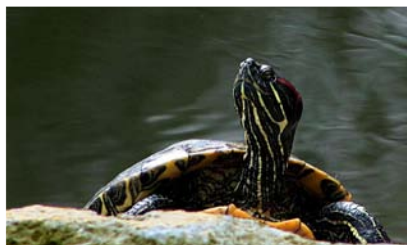


Photo by Carole Smith Berney.

Organizational members of the Alliance:

- AMC Berkshire Chapter
- Belmont Citizens Forum
- Berkshire Environmental Action Team
- Berkshire Natural Resources Council
- Blackstone River Coalition
- Charles River Conservancy
- Charles River Watershed Association
- Charlestown Waterfront Coalition
- Clean Water Action
- Connecticut River Watershed Council
- Conservation Law Foundation
- Eel River Watershed Association
- Environmental League of Massachusetts
- Essex County Greenbelt Association
- Friends of the Blue Hills
- Friends of the Assabet River NWR
- Greater Northfield Watershed Association
- Green Berkshires
- Green Decade Newton
- Groundwork Lawrence
- Hoosic River Revival
- Hoosic River Watershed Association
- Hop Brook Protection Association
- Housatonic Valley Association
- Ipswich River Watershed Association
- Jones River Watershed Association
- Lowell Parks & Conservation Trust
- Mass Audubon
- Massachusetts Assoc. of Conservation Comm.
- Massachusetts Land Trust Coalition
- Massachusetts Watershed Coalition
- Merrimack River Watershed Council
- Millers River Watershed Council
- Mystic River Watershed Association
- Nashua River Watershed Association
- Neponset River Watershed Association
- North and South Rivers Watershed Association
- OARS, for the Assabet, Sudbury, & Concord Rivers
- Parker River Clean Water Association
- Shawsheen River Watershed Association
- Sudbury Valley Trustees
- Sudbury, Assabet and Concord Wild & Scenic River Stewardship Council
- Taunton River Watershed Alliance
- Taunton River Wild & Scenic Stewardship Council
- The Nature Conservancy
- The Trust for Public Land
- The Trustees of Reservations
- Trout Unlimited, Greater Boston Chapter
- Trout Unlimited, Pioneer Valley Chapter
- Walden Woods Project
- Water Supply Citizens Advisory Committee
- Watershed Action Alliance of Southeastern MA
- Weir River Watershed Association
- Westfield River Watershed Association
- Westfield River Wild & Scenic Advisory Committee
- Westport River Watershed Alliance

“Clock ticking on new streamflow regulations” from page 1.

The rules have been controversial from their inception, with stakeholders arguing about the science, cost, and fairness of curbing water use in Massachusetts. In our view, while the final rules fall far short of what we’d like to see (they won’t put a hard stop on water use in many areas, such as the Parker River basin, where streams often run dry in the summer), they do promise protection for some of our healthiest streams, and some improvement for many other rivers and small streams. Towns seeking to increase their water permits will need to carefully look at how they are using their water, and put in place plans to lessen the impact on the environment. These measures are all good for rivers and streams.

The new rules have already been the subject of extensive public comment and review. They have been vetted by four environmental agencies and multiple stakeholder committees, and been pilot-tested in six areas. They’ve survived



Bullfrog in Watertown, MA. Photo by Carole Smith Berney.

several legislative amendments intended to prevent their implementation. Next, the new rules must be reviewed by MassDEP’s Water Management Advisory Committee, submitted to several legislative committees, and approved by the state’s Water Resource’s Commission. As of this writing, MassDEP is hopeful that the regulations will be in effect in November.

“Water infrastructure bill signed into law” from page 1.

members of the group, the Massachusetts Rivers Alliance, The Nature Conservancy, and others focused on improvements to rivers, streams and wetlands. We were pleased that legislators included incentives for green infrastructure (see right) and that the final version omitted several provisions in earlier drafts that would have weakened river protection.

LEGISLATION. The resulting legislation, “An Act Improving Drinking Water and Wastewater Infrastructure” was signed into law in August. The centerpiece of the new law is a provision that allows the state to loan more money at low (or no) interest rates to towns and cities to improve their water and sewer infrastructure. Municipalities that include green infrastructure as part of their projects will be eligible for the lower interest loans.

The new law also includes provisions that will help Cape Cod restore the health of its bays that are polluted by poorly functioning septic systems and fertilizer runoff. The law also provides funding, subject to appropriation, for new customers to purchase water from the Massachusetts Water Resources Authority (MWRA) and \$1.5 million for an innovative technology grant program. Finally, the new law establishes a Water Infrastructure Advisory Commission to monitor the state’s progress in funding municipal water infrastructure needs; the Massachusetts Rivers Alliance has a seat on this commission.

What is green infrastructure?

According to the federal Environmental Protection Agency, “Green infrastructure uses vegetation, soils, and natural processes to manage water and create healthier urban environments. At the scale of a city or county, green infrastructure refers to the patchwork of natural areas that provides habitat, flood protection, cleaner air, and cleaner water. At the scale of a neighborhood or site, green infrastructure refers to stormwater management systems that mimic nature by soaking up and storing water.”

Here is an illustration:



Constructed wetland intercepting urban drainage in Plymouth, MA. Photo courtesy of Horsley Witten Group.

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Massachusetts Rivers Alliance

The Alliance's mission is to protect and restore rivers across the Commonwealth.

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Save the date for our Annual Meeting on December 4th! Rivers vs. pipelines: What we need to know

Please join us for the Massachusetts Rivers Alliance's 2014 Annual Meeting. We will be gathering at Mass Audubon's Habitat Wildlife Sanctuary at 10 Juniper Road in Belmont on **Thursday, December 4, 5-8pm.**

This year we will be honoring several of our legislators: Senator Jamie Eldridge, Representative Carolyn Dykema and Representative Dave Rogers. We will also be recognizing the contributions of Alliance co-founder and longtime river advocate Kerry Mackin.

Our featured presentation will include a talk by The Nature Conservancy's Alison Bowden about the impacts of gas pipelines on rivers and streams, and a talk by the Conservation Law Foundation's Shanna Cleveland about the work CLF is doing to oppose a new pipeline in Massachusetts.

Our Annual Meeting includes dinner (\$15 charge at time of registration). Please register online at <https://massriversAM2014.eventbrite.com> or call Elissa Grad at (857) 445-0208.