

November 16, 2017

Dear Members of the Joint Committee on Environment, Natural Resources and Agriculture,

The below undersigned organizations would like to express our support for H.2115/S.425 *An Act relative to drought management*. This bill would allow the state to require uniform outdoor watering restrictions within the state's six drought regions, during declared droughts.

Background. During the summer and fall of 2016, we saw firsthand how devastating drought can be for rivers and public water supplies. During this statewide drought, streams and portions of major rivers such as the Ipswich, Concord, Nashua, Connecticut, and Parker Rivers became very low or dried up. The results were disastrous for both wildlife and river recreation. Many water suppliers struggled with depleted supplies and six communities declared water supply emergencies during the course of the drought.

While we can't control the weather, had our state acted more quickly and decisively, we could have lessened the impacts of this drought on both our environment and water supplies. To its credit, the Baker administration has been working on improving the state's Drought Management Plan to declare droughts earlier and more accurately. However, our state still lacks the authority to require water conservation in a drought. During the drought of 2016, this meant that outdoor watering restrictions, when put in place, varied from town to town over the summer from no restrictions at all to total watering bans, with everything in between. In addition, in most towns people on private wells were not subject to watering restrictions, while people on town water were, leading to inequity within towns. The resulting patchwork approach proved confusing and ineffective in terms of curtailing outdoor water use.

We support this legislation for the following reasons:

- 1. The current approach to outdoor watering restrictions has proven confusing and inequitable.**
 - In Massachusetts, water suppliers with registrations (granted before the Water Management Act passed in 1986) are not required to impose any nonessential outdoor watering restrictions.
 - Water suppliers with permits (new or additional use granted after 1986) are required to impose nonessential outdoor watering restrictions, but these vary greatly depending on when the last permit was issued for a community.
 - Private well owners are also exempt from any nonessential outdoor watering restrictions unless otherwise indicated in local town bylaws.
 - The resulting mixture of restrictions proved ineffective and continued to stress overtaxed aquifers that were shared by multiple communities.
 - For example, in the Ipswich watershed, 80% of the water drawn from the Ipswich River lacks restrictions because of the large concentrations of registrations in the watershed.
- 2. Outdoor watering restrictions have proven one of the most effective means to save water during a drought.**

- In the Charles River watershed, a 2016 analysis of outdoor watering restrictions demonstrated savings of between 20-50% of water use when restrictions were implemented effectively.
 - This legislation would not require indoor conservation restrictions or restrictions on agriculture; this bill would simply allow the state to require a gradual escalation of uniform outdoor watering restrictions within the state's six drought regions, during declared droughts.
- 3. Currently, the state has no authority to require outdoor watering restrictions during a drought unless the Governor issues an emergency drought declaration.**
- Though Energy and Environmental Affairs Secretary Beaton issued a series of recommendations for water suppliers during the height of the drought in the summer of 2016, the agency could not require any water conservation within communities.
 - Though many suppliers did impose watering restrictions, a large number were voluntary restrictions and even the mandatory restrictions varied widely from outdoor watering allowed only at night to total outdoor watering bans in some communities.
 - Only the legislature can give our state the authority to require water conservation during a drought; updates to the Drought Management Plan cannot achieve this without this crucial, complementary authorizing legislation.
- 4. With droughts expected to increase in frequency as a result of climate change, it is in our best interest to improve our state response to drought management.**
- According to the 2011 Massachusetts Climate Change Adaptation Plan Report, scientists predict that by mid-century, Massachusetts will experience more severe short-term droughts in combination with increased precipitation during winter months.
 - In the interest of protecting public health and the environment, as a state we need to improve our drought resiliency so that we are prepared for all weather extremes.

For these reasons, we respectfully urge the Joint Committee on Environment, Natural Resources and Agriculture to report out favorably H.2115/S.425 *An Act relative to drought management*.

Thank you for your time and consideration. We look forward to working together with the Legislature to improve our state's resilience to water shortages. Please feel free to contact Gabby Queenan (gabbyqueenan@massriversalliance.org) of the Massachusetts Rivers Alliance if you have any questions.

Sincerely,

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