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October 31, 2017

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State House Room 513  
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Honorable William Pignatelli, House Chairman  
Joint Committee on Environment, Natural Resources and Agriculture  
State House Room 473F  
Boston, MA 02133

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Re: Support: H. 2115, an Act relative to drought management

Dick Lawrence  
*Clerk*  
Hudson

Dear Chairwoman Gobi, Chairman Pignatelli, and Committee members,

Don Burn  
Westborough

Thank you for the opportunity to submit testimony on a bill that is urgently needed to protect the Commonwealth's water resources and public health from the worst effects of future droughts – H. 2115, an Act relative to drought management.

Robert Donelan  
Concord

I'm Alison Field-Juma, Executive Director of OARS, the watershed organization for the Assabet, Sudbury and Concord Rivers which run for 533 river miles from Westborough to Lowell. We have 725 members and have conducted a water quality monitoring program for 24 years, and conduct temperature monitoring in local coldwater fishery resource streams. We are acutely aware of the negative impacts of drought on the aquatic life, water quality, and recreational use of our rivers and streams. I attended and participated in the State's Drought Management Task Force meetings throughout 2016 and 2017.

Paul Goldman  
Marlborough

Martin Moran  
Hudson

Pam Rockwell  
Concord

The drought of 2016 highlighted the good and the bad about how we manage water resources. I was very impressed by the professionalism and technical knowledge of the Drought Management Task Force, how each agency brought its most recent data and analysis to a collective decision-making process. It was particularly important that the other stakeholders, like watershed protection groups, had an opportunity to weigh in. These groups significantly expanded the observations of drought conditions and impacts in the field. We therefore strongly support creating a legislative basis for the Drought Management Task Force. We also hope that a representative of watershed and river protection groups will be considered among the "professional organizations" appointed to the task force (line 5).

Laura Rome  
Maynard

Peter Shanahan  
Acton

Lisa Vernegaard  
Maynard

The "test drive" of the drought management plan in 2016 highlighted the urgent need to revise some of its indicators and provisions, and that process is well underway. We strongly support the provisions in the bill relating to the timely adoption and revision of a drought management plan.

Section “C” of the bill provides the authority for the secretary to order water conservation measures, including limits on nonessential outdoor water use, based on the severity of the drought. This key paragraph provides for actions that have the best chance of minimizing negative impacts of the drought. Most importantly, it provides for the uniform application of the measures to all water users.

One of the obvious features of the 2016 drought was the public’s frustration with the patchwork of rules applied within a region due to the existence of permitted public supplies which had the most rigorous restrictions, registered public supplies with minimal restrictions, and private irrigation wells with no restrictions. This made it next to impossible to enforce the restrictions. It also resulted in next-door neighbors where one had a brown lawn and the other had a green one. Our local streams dried up and the aquatic life was killed and will take years to recover.

Of great concern was where both neighbors had private wells, and yet one used large amounts of water for non-essential use (like lawn irrigation) while the other worried that their drinking water well would become dry since they both drew from the same groundwater supply. Indeed, some neighbors did have to spend thousands of dollars to dig deeper drinking water wells because of profligate non-essential use nearby.

It is thus essential that restrictions apply uniformly. In our watershed we have seen a very large increase in parties who have drilled irrigation wells when their municipality prohibited the use of town water for lawn irrigation. This results in the towns’ official water use per person being reduced, a goal of the Water Conservation Standards. But the perverse effect is for unrestricted and unmonitored usage to dramatically increase. While this may protect certain municipal wells from going dry, the total use of water for non-essential uses will increase, threatening the waterways and drinking water supplies of that community.

A clear legal framework that applies the water conservation restrictions uniformly and to the fullest extent permitted by law is very much in the public interest. It is transparent and clearly equitable and will in fact protect the very finite water resources of the Commonwealth. It is necessary that the secretary has clear authority to take meaningful action in the case of all levels of drought so that we do not replicate the 2016 experience of doing too little and too late to have the desired effect. This bill achieves this objective. The declaration of this act as an “emergency law” is appropriate and reflects the urgent need to put in place these measures to protect our water resources with immediate effect.

We strongly support House 2115 and respectfully request a favorable report.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'A. Juma', with a long, sweeping underline that extends to the left and then curves back under the name.

Alison Field-Juma  
*Executive Director*