

Chair Aaron Michlewitz
House Committee on Ways and Means
24 Beacon Street, Room 243
Boston, MA 02133

Vice Chair Margaret Ann Ferrante
House Committee on Ways and Means
24 Beacon Street, Room 243
Boston, MA 02133

June 3, 2024

RE: Support for H.861, An Act relative to maintaining adequate water supplies through effective drought management

Dear Chair Michlewitz, Vice Chair Ferrante, and Members of the House Committee on Ways and Means

We, the forty-seven undersigned organizations, write to strongly urge the Committee to give a favorable report to H.861, *An Act relative to maintaining adequate water supplies through effective drought management*.

Massachusetts faces increasing climate challenges, including more frequent and severe droughts that impact our state's rivers, wetlands, wildlife habitat, and drinking water supplies. This bill is a small yet crucial step toward creating a proactive, coordinated, statewide drought response that safeguards our environment, public health, and the sustainability of our water supplies.

Key Provisions of H.861:

Coordinating regional non-essential outdoor watering during drought.

This bill allows the Secretary of the Executive Office of Energy and Environmental Affairs (EEA) to require regional water conservation measures during a declared drought, as recommended by the state's [2023 Drought Management Plan](#).

As it stands, most municipalities already implement some level of water conservation during drought, as required by their Water Management Act permits or registrations. However, those measures can vary significantly town to town, even among neighbors, despite the area as a whole experiencing the same low water levels.

This bill will save municipal staff time by allowing them to now take advantage of the state's existing suite of communication materials, rather than each town creating their own messaging.

Codifying the Drought Management Task Force into statute.

The bill formalizes the existing [Drought Management Task Force](#), a group of state, federal, and local experts who analyze recent hydrologic and climatic data to determine drought severity. This group also creates the state's Drought Management Plan, which includes outdoor watering recommendations. Codifying the task force into statute will ensure that our state's climate preparedness strategies are grounded in scientific data and expert recommendations.

Aligning with state regulations and planning.

Many water users in Massachusetts are already subject to limits on outdoor non-essential water use during periods of drought. In January 2023, MassDEP updated regulations regarding communities with Water Management Act registrations to include drought management policies, joining permitted users and Massachusetts Water Resources Authority (MWRA) customers as being subject to drought management policies when resources are strained. H.861 supports this fair and clear approach by ensuring that all residents and businesses in a drought region, including those on private wells, would be abiding by the same water conservation measures.

Preparing proactively for disasters.

Right now, the Governor can only require water conservation during a drought emergency, at which point the state would be experiencing crop failure, increased fire danger, loss of aquatic life, and threats to the water supply. It is far more prudent to conserve water in the early stages of drought to prevent such emergencies from occurring. Limiting lawn watering is a small step, but when done at scale, can have big impacts. In many Massachusetts municipalities, outdoor watering can increase overall water use by a full 60%.

Massachusetts needs this coordinated, statewide drought response to protect our rivers and aquatic resources. While summer 2023 was one of the wettest on record, the precipitation came in "flashier" storms, meaning heavy precipitation over a short period of time. Despite all that water, our aquifers actually have trouble recharging when the water is so inundated it prevents infiltration back into groundwater. The cycle of severe droughts and severe floods is one that will keep occurring in the Commonwealth, and our regulations, behaviors, and responses need to evolve in kind.

This bill has consistently enjoyed broad, bipartisan support from legislators, organizations, and environmental advocates from across the Commonwealth in past sessions. The most recent [ResilientMass State Hazard Mitigation and Climate Adaptation Plan](#) identified drought as a statewide threat with a high magnitude of consequences for all our residents. We now have the opportunity to ensure our state's preparedness for the next extreme drought.

We request that you favorably report H.861, *An Act relative to maintaining adequate water supplies through effective drought management* out of committee this session. Your support is vital in advancing this legislation and ensuring its potential to benefit the Commonwealth.

Sincerely,

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