

2026-01-27 6PM Draft MA Surface Water Quality Standards (314 CMR 4.00) Amendments Oral Testimony Transcript

0:00

Heather Clish, Mass Rivers Alliance: I'm Heather Clish.

0:00

Heather Clish, Mass Rivers Alliance: I'm the policy director for the Massachusetts Rivers Alliance.

0:04

Heather Clish, Mass Rivers Alliance: First, I do want to thank the Watershed Planning Program and everyone at Mass DEP for all of the work that you do in tracking and maintaining water quality across the state and for hosting these public hearings so that we may comment.

0:19

Heather Clish, Mass Rivers Alliance: The mission of the Mass Rivers Alliance is to protect and restore rivers and streams across the state.

0:24

Heather Clish, Mass Rivers Alliance: We have 85 member organizations from Massachusetts, Rhode Island and Connecticut, and we are committed to ensuring that everyone has access to water that is clean and safe for wildlife and for recreational activities like boating, fishing and swimming.

0:41

Heather Clish, Mass Rivers Alliance: In support of this goal, Mass Rivers broadly approves and supports the proposed changes to the surface water quality standards here.

0:50

Heather Clish, Mass Rivers Alliance: The changes suggest... the changes suggested increase protections for recreation, eliminate classifications that happily no longer apply to state waters.

1:00

Heather Clish, Mass Rivers Alliance: It's nice to see a commitment that we are not going back and revise or qualify other classifications and criteria to make regulations clearer.

1:10

Heather Clish, Mass Rivers Alliance: We appreciate that these changes streamline the regulations and make aquatic recreation safer for the public.

1:17

Heather Clish, Mass Rivers Alliance: Mass Rivers would like to see water quantity explicitly taken into consideration in the surface water quality standards.

1:26

Heather Clish, Mass Rivers Alliance: Water quantity is an important factor in water quality, as low streams, rivers, or lake and pond levels can decrease water quality by increasing pollutant concentrations and the risk of cyanobacterial blooms.

1:40

Heather Clish, Mass Rivers Alliance: In short, the first ingredient in clean water is water.

1:45

Heather Clish, Mass Rivers Alliance: Many other states, including our neighbors in Rhode Island, Connecticut and New Hampshire have language in their state water quality standards that mandate sufficient water quantity to preserve water quality.

1:57

Heather Clish, Mass Rivers Alliance: Massachusetts should have the same and Mass Rivers will include specific example language in our written comments that will follow and that we will submit by the deadline.

2:06

Heather Clish, Mass Rivers Alliance: Mass Rivers would also like to ask, I know you're not answering questions, but we, we would like to put out there a question that we have on what appears to be a decision to exclude certain water quality criteria from the changes for this triennial review.

2:24

Heather Clish, Mass Rivers Alliance: Our technical team has noticed missing from this iteration's updates are the EPA nutrient criteria for PFAS, cyanobacteria, nutrients and lakes and selenium, as well as any new cold water fishery resource designations.

2:39

Heather Clish, Mass Rivers Alliance: Nutrient criteria for selenium, cyanobacteria and nutrients and lakes were approved by EPA Region 5 more or EPA 5, excuse me, approved by EPA 5 or more years ago.

2:52

Heather Clish, Mass Rivers Alliance: And there is a long list of cold water fisheries resources that are not yet regulated under the surface water quality standards.

3:01

Heather Clish, Mass Rivers Alliance: Overall, Mass Rivers and our 85 member organizations are deeply invested in protecting and improving water quality across Massachusetts.

3:08

Heather Clish, Mass Rivers Alliance: We thank you again for giving us the opportunity to provide comments on this critical set of regulations.

3:14

Heather Clish, Mass Rivers Alliance: And as I said, we will follow with written comments that may have more recommendations, but that's what we have so far.

3:24

Danielle Mucciarone, MassDEP: Thank you.

3:33

Danielle Mucciarone, MassDEP: OK, thank you, Heather.

3:36

Danielle Mucciarone, MassDEP: That was great.

3:37

Danielle Mucciarone, MassDEP: Is there anybody else who would like to provide oral testimony?

3:42

Danielle Mucciarone, MassDEP: If so, please raise your hand and we will allow you to unmute.

3:58

Danielle Mucciarone, MassDEP: I don't see anybody, but if anyone else does, let me know because I I'm kind of scrolling through.

4:06

Lealdon Langley, MassDEP: I don't see anyone else either.

4:07

Lealdon Langley, MassDEP: Danielle.

4:08

Anna Mayor, MassDEP: Okay, please raise your virtual hand if you'd like to give oral testimony.

4:23

Anna Mayor, MassDEP: and you have not done so.

4:35

Anna Mayor, MassDEP: Please raise your hand if you'd like to continue your testimony.

4:50

Danielle Mucciarone, MassDEP: There is just one question.

4:52

Anna Mayor, MassDEP: Can you confirm Danielle? Is there any else raising their hand?

4:55

Danielle Mucciarone, MassDEP: There's no hands.

4:56

Danielle Mucciarone, MassDEP: There's just a question in the chat about where can they direct the questions if tonight is not the appropriate forum.

Lealdon Langley, MassDEP: Like will there be a forum for people to ask questions?

5:19

Danielle Mucciarone, MassDEP: Let's see, Andrew, I don't know if you want to, if you want to further elaborate on that, but I was, I, I was interpreting it as maybe e-mail or written comments.

5:34

Anna Mayor, MassDEP: Yes, you can submit.

5:35

Anna Mayor, MassDEP: If it's if it's more like a a public record request and you are you're asking for a document or something like that, then feel free to e-mail us requesting a document and we can reply that way.

5:49

Anna Mayor, MassDEP: Or if it's a question about the amendments, then or comment about the amendments, then it should be submitted as a question and we will answer in our, in our response to comments, our written response to comments.

6:04

Andrew Gordon: Thank you.

6:05

Andrew Gordon: The, the, the question was more along the lines of, I assume that the request to comment deadline is when they're all due.

6:13

Andrew Gordon: So if we're answering questions, we wouldn't have an opportunity to clarify any questions before the comments are due.

6:20

Andrew Gordon: There's no, there's no feedback loop there.

6:22

Andrew Gordon: So just asking if there's a, a good forum where we could do that or if we should just try to put all of our questions and comments in a comment letter.

6:33

Richard Carey, MassDEP: Submit all your questions and comments in a comment letter.

6:37

Richard Carey, MassDEP: You can ask your questions right now, you can submit your questions before the deadline and we plan to respond in a formal response to comments later on.

6:50

Andrew Gordon: Great, thank you.

6:51

Anna Mayor, MassDEP: You're welcome.

7:01

Anna Mayor, MassDEP: All right.

7:01

Anna Mayor, MassDEP: Well, if there are no other comments or testimony, I thank all of you who testified today as well as those who have attended this remote hearing without testifying.

7:18

Anna Mayor, MassDEP: After the public comment period closes at 5:00 PM on Monday, February 9th, 2026, we will review and consider all public comments received, including oral comments made during this hearing and all written comments submitted via e-mail or regular mail prior to finalizing their amendments.

7:42

Anna Mayor, MassDEP: The final regulation will be published on Mass DPS website and we will notify all parties who have participated in the public hearing process.

7:52

Anna Mayor, MassDEP: There being no further testimony, I hereby close this remote hearing at 6:50 PM on January 27th, 2026.

8:05

Anna Mayor, MassDEP: Thanks.