

Rivers Protection Bylaws

WHAT ARE THE OBJECTIVES OF A LOCAL RIVERS PROTECTION BYLAW?

To increase community control over activities on riverfront areas not regulated by the Massachusetts Rivers Protection Act. Although the Rivers Protection Act does offer communities an opportunity to protect river areas, additional regulation may be needed to protect water supplies fed by rivers.

WHY DO WE NEED LOCAL RIVERS PROTECTION BYLAWS?

River channels, riverbank areas, and floodplains are rich ecological areas, providing habitat for a diverse array of birds, fish, plants, and animals. Linear river channels function as wildlife corridors for migrating birds, anadromous fish, and many animals. Rivers also attract people, being ideal places to hike, fish, boat, and enjoy nature. Floodplains are important natural flood storage areas, that if left undeveloped, can help prevent flood damages and save lives in the event of a major flood. However, rivers are under considerable development pressure for a variety of uses, including housing developments, dams and hydroelectric facilities, and recreational activities.

HOW DO LOCAL RIVERS PROTECTION BYLAWS WORK?

A River Protection Overlay District can be designated for a portion of the riverbank from the shoreline landward up to an established distance from each bank. Uses permitted as a matter of right should be limited to those consistent with the scenic qualities of the river, such as agricultural production, recreational uses, reasonable emergency procedures, conservation measures, and residential development on lots with frontage on an existing way (Approval Not Required Development). Residential subdivision in the district can be required to include mandatory clustering, and be located away from the shoreline to the maximum practical extent. River protection districts can also be designed to incorporate floodplain regulations. These regulations prevent development within the floodplain that might increase flood levels and velocities, or cause flood damages due to unanchored materials.



HOW DO LOCAL RIVERS PROTECTION BYLAWS PROTECT WATER SUPPLIES?

Many public water supply wells are located close enough to rivers to induce infiltration from the river into the well's zone of contribution when the well is pumping. In other areas, rivers directly flow into a water supply reservoirs. A River Protection Overlay District can protect river water quality by establishing greater setbacks for new development from the riverbank, prohibiting hazardous land uses in the district, and establishing performance standards for other uses.



Westfield River, Chester, MA

CASE STUDY: WESTFIELD RIVER – NATIONAL WILD AND SCENIC RIVER

The Westfield River has been designated as a National Wild and Scenic River along a 78-mile section of the East Branch, Middle Branch and West Branch of the Westfield River. The corridor width is 200 feet wide from mean high water, corresponding to the width of the Massachusetts River Protection Act. The National Park Service identified outstandingly remarkable values on the Westfield River, including cold water fisheries, recreational amenities, historic resources, historic villages, unique geologic features, rare and endangered species and biodiversity habitat, as well as one of the largest roadless wilderness areas remaining in Massachusetts.

A vertical banner image on the right side of the page. It features a close-up of water flowing over mossy rocks, creating a sense of movement and natural beauty. The water is clear and the rocks are covered in vibrant green moss. The banner is set against a blue background at the top and bottom.

environment

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Did you know river protection design standards can:

- » Require all structures to be located at an established setback (i.e., 100 feet) from the shoreline and be visually screened from the shoreline by a vegetated buffer;
- » Protect the scenic and environmental integrity of the district by prohibiting certain uses that alter the landscape or are hazardous;
- » Require each structure be integrated into the existing landscape to minimize its scenic and environmental impact;
- » Require runoff to be directed toward areas covered with vegetation; and,
- » Prohibit clear cutting of existing vegetation and minimize disruption of wildlife habitat.

In 1993, after years of study, adding protective bylaws, and working with an advisory committee composed of landowners and residents of Becket, Chester, Middlefield, Chesterfield, Worthington and Cummington, Pioneer Valley Planning Commission and Westfield River Watershed Association, 43 miles of the Westfield River were initially designated as a National Wild and Scenic River. In October 2004, the reach of the Wild and Scenic designation was expanded so that it now encompasses over 78 miles of river corridor, and ten communities.

PVPC drafted an intergovernmental compact for managing the river, which led to the creation of a Westfield River Wild and Scenic Advisory Committee. The MOA and Westfield River Greenway Plan outline other river protection strategies including: river protection bylaws; voluntary conservation restrictions; increasing the maintenance at river access points; grants for selected land acquisitions or improvements; riverbank beautification; and salmon restoration.

FOR MORE INFORMATION, PLEASE CONTACT

Pioneer Valley Planning Commission
413-781-6045
60 Congress Street, Floor 1
Springfield, MA 01104-3419
www.pvpc.org