

Rivers Protection Bylaws



East Branch of the Westfield River

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, it is too broad-based to address specific community concerns generated by development activities.

Why do we need a local Rivers Protection Bylaw?

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 does a Rivers Protection Bylaw 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.



DID YOU KNOW...

Stormwater runoff is our most common cause of water pollution. Rainwater and snowmelt run off streets, lawns, farms, and construction and industrial sites and pick up fertilizers, dirt, pesticides, oil and grease, and many other pollutants on the way to our rivers, lakes, and coastal waters. (US EPA)

EXAMPLES FROM THE PIONEER VALLEY

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 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.



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.

Each of the Westfield River Wild and Scenic communities has adopted a River Protection Zoning Overlay District which:

- » Restricts development within 100 feet of the river;
- » Limits cutting of trees and vegetation along the riverbank; and,
- » Prohibits uses which could degrade water quality to the river.

A model bylaw or strategy is included in the Pioneer Valley Sustainability Toolkit.

FOR MORE INFORMATION, PLEASE CONTACT

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