

SENATE No. 2399

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

SENATE, Monday, November 24, 2014

The committee on Ways and Means, to whom was referred the House Bill establishing a Mystic River watershed water quality commission (House, No. 4302); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2399.

For the committee,
Stephen M. Brewer

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1 SECTION 1. (a) There shall be a Mystic River Watershed water quality commission to
2 investigate and study the conditions necessary to bring the water quality in the Mystic River
3 Watershed to a level that supports wildlife and recreational endeavors, such as kayaking,
4 canoeing, rowing, fishing, boating, swimming and bird and wildlife viewing, and the feasibility
5 of improving the water quality to that level. As used in this act, the term “Mystic River
6 Watershed” shall include, but not be limited to, the Mystic river, the Upper and Lower Mystic
7 Lakes, the Aberjona river, Horn pond, Horn pond brook, Mill brook, Alewife brook and its
8 tributaries, Winter brook, the Malden river, Chelsea creek, Island End river and Belle Isle marsh.

9 (b) The commission shall study the water quality of the Mystic River Watershed
10 including, but not limited to:

11 (i) the collection of existing data concerning sediment volume and quality;

12 (ii) identification of additional data, technologies and engineering or
13 environmental solutions necessary, with an estimate of the approximate cost, to determine where
14 removal of toxic sediments from the Mystic River Watershed would be appropriate;

(iii) the collection of existing data concerning bacteria, viruses, toxins, turbidity, dissolved oxygen and any other water quality and environmental parameters that may affect human exposure to water within the Mystic River Watershed;

(iv) the collection of existing data concerning water flow, flooding and wet-weather discharges including, but not limited to, the impacts of sanitary sewer overflows and combined sewer overflows and their impact on water quality, an evaluation of human exposure to such water-borne sewage and toxics and identification of additional data, various technologies and engineering or environmental solutions necessary, with an estimate of the approximate cost, to reduce such discharges into the waters of the Mystic River Watershed during flooding events;

(v) the collection of existing data on water flow and flooding and the collection of existing data concerning the impacts of flooding and flood waters on the water quality of the Mystic River Watershed, including, but not limited to, the impacts of upstream flood mitigation on downstream communities and operation of the Amelia Earhart dam;

(vi) identification of sites for the development of public access, including swimming and boating areas, within the Mystic River Watershed, taking into account current uses, public transportation and any environmental factors, including current port uses;

(vii) collection of existing data concerning the impacts of water quality on fish and other aquatic and marine life including, but not limited to, fish, shellfish, crustaceans, birds, mammals and aquatic plants, and including data on the reproductive success of anadromous and catadromous species and those species the entire lifespan of which occurs within the waters of the Mystic River Watershed;

(viii) identification of additional data, technologies and engineering or environmental solutions necessary, with an estimate of the approximate cost, to improve water quality that may impact fish, birds, mammals and other aquatic and marine organisms found in and around the Mystic River Watershed; and

(ix) identification of lands and waters within the watershed that may be preserved or restored to preserve and increase biodiversity and viewing fish, wildlife and birds.

(c) The commission shall consist of the following members: 1 member of the house of representatives who shall serve as co-chair; 1 member to be appointed by the minority leader of the house of representatives; 1 member of the senate who shall serve as co-chair; 1 member to be appointed by the minority leader of the senate; the commissioner of conservation and recreation or a designee; the commissioner of environmental protection or a designee; the director of fisheries and wildlife or a designee; and 6 persons to be appointed by the secretary of energy and environmental affairs: 1 of whom shall be from the Massachusetts Water Resources Authority, 1 of whom shall be an environmental water quality expert from a state university, 1 of whom shall be from the United States Environmental Protection Agency, 2 of whom shall be from environmental justice communities in the Mystic River Watershed and 1 of whom shall be from the Mystic River Watershed Association, Inc.

Members of the commission shall serve without compensation for their service on the commission. The commission may consult individuals and entities outside of its membership for research, advice, support and other functions necessary and appropriate to accomplish the commission's objectives. The commission shall submit a report, including its recommendations for legislation necessary to carry those recommendations into effect, by filing the same with the

58 clerks of the senate and house of representatives, the senate and house chairs of the joint
59 committee on environment, natural resources and agriculture and the chairs of the house and
60 senate committees on ways and means not later than July 31, 2017.