

SENATE No. 2552

The Commonwealth of Massachusetts

PRESENTED BY:

Susan L. Moran

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act protecting the Upper Cape water supply reserve.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>12/13/2021</i>

SENATE No. 2552

By Ms. Moran, a petition (accompanied by bill, Senate, No. 2552) (subject to Joint Rule 12) of Susan L. Moran for legislation to protect the Upper Cape water supply reserve. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act protecting the Upper Cape water supply reserve.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to require thorough evaluation of the environmental impact of pending and future proposals for new or expanded activity within Massachusetts Military Reservation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and health.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 5 of Chapter 47 of the Acts of 2002 (“An Act relative to the Environmental
2 Protection of the Massachusetts Military Reservation”) is hereby amended by adding at the end
3 thereof the following:-

4 In evaluating any proposal for new or expanded activity within the Reserve that requires
5 ten acres or more of habitat destruction or clearcutting of forested land, the Commission shall
6 take no action prior to receiving written recommendations from a) the Community Advisory
7 Council; b) the Science Advisory Council; c) the Upper Cape Regional Water Supply
8 Cooperative and d) the Cape Cod Commission, as to whether the proposed activity violates any
9 of the environmental performance standards included in the final environmental impact report

10 regarding activities on the Reserve, or whether adjustment of the environmental performance
11 standards is warranted.

12 If following receipt of the aforesaid recommendations the Commission determines a) that
13 the proposed activity does not violate said standards, or b) adjusting said standards is warranted,
14 the Commission shall hold a public hearing on its proposed determination in Sandwich,
15 Mashpee, Falmouth, or Bourne, prior to publishing a notice of availability of the proposed
16 adjustment.