

HOUSE No. 3550

The Commonwealth of Massachusetts

PRESENTED BY:

Kristin E. Kassner

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 to protect water supplies and the environment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kristin E. Kassner</i>	<i>2nd Essex</i>	<i>2/28/2023</i>
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>5/3/2023</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>5/15/2023</i>

HOUSE No. 3550

By Representative Kassner of Hamilton, a petition (subject to Joint Rule 12) of Kristin E. Kassner for legislation to protect water supplies and the environment. Environment and Natural Resources.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to protect water supplies and the environment.

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 1. Section 2 of Chapter 21G shall be amended to strike the definition of safe
2 yield in its entirety and replace with the following and further add a new definition for stress
3 basin: -

4 "Safe yield", the maximum dependable withdrawals that can be made continuously from
5 a water source including ground or surface water annually without depleting the source beyond
6 its ability to be replenished naturally. Provided, however, that such dependability is a function of
7 storage and drought probability.

8 "Stress basin", is defined as a basin or sub-basin in which the quantity of streamflow has
9 been significantly reduced, or the quality of the streamflow is degraded, or key habitat factors are
10 impaired.

11 SECTION 2. Section 5 of Chapter 21G shall be amended to add the following: -

12 The Department of Environmental Protection (DEP) shall re-calculate safe yield for each
13 basin in Massachusetts, based on seasonal supply in the summer months, using data from no
14 earlier than the past 3 years, and taking into account the existence of reservoir storage, or lack
15 thereof.

16 SECTION 3. Section 5 of Chapter 21G shall be amended to add the following: -

17 The Department of Environmental Protection (DEP) shall calculate safe yield for each of
18 the sub-basins in Massachusetts. Stream Flow calculated by USGS shall be used in this analysis.

19 SECTION 4. Section 15 of Chapter 21G shall be amended to insert the following after
20 the words “pursuant to this section” as follows: -

21 Stream flow shall be used in the calculation of drought. A drought level of 4 or 5 in
22 stressed basins or in identified flow depleted basins and sub-basins shall trigger water
23 conservation measures in the watershed. All registrants and permit holders shall be subject to
24 these water conservation measures. In addition, local Boards of Health shall require permits for
25 wells and shall implement water conservation measures for these wells during drought or in
26 identified flow depleted basins.

27 SECTION 5. Section 20 Chapter 21G shall be amended to insert the following: -

28 Local boards of health or other permitting bodies that permit private wells in
29 municipalities shall provide annually by December 31st, a report of well permits to the
30 Department of Environmental Protection (DEP).