

HOUSE No. 4302

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 14, 2014.

The committee on Ways and Means, to whom was referred the Bill establishing a Mystic River water quality commission (House, No. 785), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4302).

For the committee,

BRIAN S. DEMPSEY.

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act establishing a Mystic River water quality commission.

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. (a) There is hereby established a special commission, hereafter referred to
2 as the Mystic River Watershed Water Quality Commission, for the purpose of making an
3 investigation and study relative to improving the conditions necessary to, and determining the
4 feasibility of, bringing the water quality in the Mystic River watershed to a level that supports
5 wildlife and recreational endeavors such as kayaking, canoeing, rowing, fishing, boating,
6 swimming and bird and wildlife viewing. As used in this act, the term “Mystic River watershed”
7 shall include, but not be limited to, the Mystic River, the Upper and Lower Mystic Lakes, the
8 Aberjona River, Horn Pond, Horn Pond Brook, Mill Brook, Alewife brook and its tributaries,
9 Winter Brook, the Malden River, Chelsea Creek, Island End River and Belle Isle Marsh.

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

12 (1) the collection of existing data concerning sediment volume and quality;

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

16 (3) the collection of existing data concerning bacteria, viruses, toxins, turbidity, dissolved
17 oxygen, and all other water quality and environmental parameters that may affect human
18 exposure to water within the Mystic River watershed;

19 (4) the collection of existing data concerning water flow, flooding, and wet-weather
20 discharges, including but not limited to the impacts of sanitary sewer overflows (SSO) and
21 combined sewage overflows (CSO), and an evaluation of their impact on water quality, and an
22 evaluation of human exposure to such waterborne sewage and toxics, and identification of

23 additional data, various technologies, engineering or environmental solutions necessary, with an
24 estimate of the approximate cost to reduce such discharges into the waters of the Mystic River
25 watershed during flooding events;

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

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

33 (7) collection of existing data concerning the impacts of water quality on fish and other
34 aquatic and marine life, including, but not limited to fish, shell fish, crustaceans, birds, mammals
35 and aquatic plants; this shall include data on the reproductive success of anadromous and
36 catadromous species as well as those species whose entire lifespan occurs within the waters of
37 the Mystic River watershed;

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

42 (9) identification of lands and waters within the watershed that may be preserved or
43 restored for the purpose of preserving and increasing biodiversity and viewing fish, wildlife and
44 birds.

45 (c) The Mystic River Watershed Water Quality Commission shall consist of the
46 following members: 1 member of the house of representatives appointed by the speaker of the
47 house, who shall serve as co-chair; 1 member of the senate appointed by the senate president,
48 who shall serve as co-chair; the commissioner of conservation and recreation, or a designee; the
49 commissioner of environmental protection, or a designee; the director of fisheries and wildlife,
50 or a designee; and persons from the following organizations to be appointed by the secretary of
51 energy and environmental affairs: 1 person from the Massachusetts Water Resources Authority,
52 an environmental water quality expert from a state college or university, 1 person from the
53 Environmental Protection Agency, 2 person from the environmental justice communities in the
54 Mystic River watershed, and 1 person from the Mystic River Watershed Association.

55 All members shall serve without compensation for service on the commission. The
56 commission may consult individuals and entities outside of its membership for research, advice,
57 support and other functions necessary and appropriate to accomplish the commission's
58 objectives. The commission shall submit a report, including legislative recommendations, if any,

59 to the joint committee on environment, natural resources and agriculture and the house and
60 senate committees on ways and means on or before July 31, 2015.