

HOUSE No. 841

By Representative Provost of Somerville and Senator Barrios, joint petition of Denise Provost and others for legislation to establish a Mystic River water quality commission (including members of the General Court) to make an investigation and study of the conditions of said river for fishing, boating and swimming. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

PETITION OF:

Denise Provost	William N. Brownsberger
Jarrett T. Barrios	Patricia D. Jehlen
Carl M. Sciortino, Jr.	Timothy J. Toomey, Jr.
Paul C. Casey	Eugene L. O’Flaherty
Robert A. Havern	

In the Year Two Thousand and Seven.

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 Notwithstanding any general or special law or regulation to the
- 2 contrary, a special commission, hereafter referred to as the Mystic
- 3 River Water Quality Commission, is hereby established for the pur-
- 4 pose of making an investigation and study relative to improving the
- 5 conditions necessary to, and determining the feasibility of, bringing
- 6 the water quality in the Mystic River basin to a level safe for fishing,
- 7 boating and swimming.
- 8 While the water quality in the water column of the Mystic River
- 9 has improved, and is often good, the existence of contaminated sedi-
- 10 ments are problematic for development of the contact recreational
- 11 potential of the Mystic River basin, therefore:—
- 12 The Mystic River Water Quality Commission shall study the
- 13 water quality of the Mystic River basin including, but not limited
- 14 to:—
- 15 (a) the collection of existing data concerning bacteria, viral, tur-
- 16 bidity, clarity, toxins, and all other water quality and environmental

17 parameters that may affect human exposure to water from the Mystic
18 River;

19 (b) the collection of existing data on water flow and flooding,
20 including operation of the Amelia Earhart dam, and evaluation of
21 their impact on water quality, including human exposure to water-
22 borne sewage and toxics;

23 (c) the collection of existing data concerning sediment volume
24 and quality;

25 (d) identification of additional data, technologies, engineering
26 solutions, or environmental solutions necessary with cost estimates
27 to determine where removal of toxic sediments from the Mystic
28 River would be appropriate;

29 (e) identification of additional data, various technologies, engi-
30 neering solutions, or environmental solutions necessary, with cost
31 estimates, to improve water quality that may impact human exposure
32 to water from the Mystic River, and the creation of public swimming
33 areas and boating facilities in the lower Mystic River on department
34 of conservation and recreation property;

35 (f) identification of sites for the development of public swimming
36 and boating areas along the lower Mystic River basin, taking into
37 account current uses, public transportation, and any environmental
38 factors, including current port uses.

39 The Mystic River Water Quality Commission shall be co-chaired
40 by the house and senate chairs of the joint committee on environ-
41 ment, natural resources and agriculture, and consist of 1 member of
42 the house of representatives appointed by the speaker of the house; 1
43 member of the senate appointed by the senate president; 1 member
44 appointed by the senate minority leader; 1 member appointed by the
45 house minority leader; 1 representative of the Environmental Protec-
46 tion Agency selected by the Governor from 3 nominations recom-
47 mended by the Environmental Protection Agency; 1 representative
48 from the department of conservation and recreation; 1 representative
49 from the department of environmental protection; 1 representative
50 from the Massachusetts Water Resources Authority appointed by the
51 secretary of environmental affairs from 3 recommendations made by
52 the Massachusetts Water Resources Authority; 1 environmental
53 water quality expert from a college or university appointed by the
54 secretary of environmental affairs; 1 representative from the envi-
55 ronmental justice communities in the Mystic River basin, appointed

56 by the Secretary of the Executive Office of Environmental Affairs;
57 and 1 representative from the Mystic River Watershed Association
58 appointed by the secretary of environmental affairs from 3 recom-
59 mendations from the Mystic River Watershed Association. All mem-
60 bers shall serve without compensation for service on the
61 commission. Said commission may consult individuals and entities
62 outside of its membership for research, advice, support and other
63 functions necessary and appropriate to accomplish the commission's
64 objectives. Said commission shall submit a report, including
65 legislative recommendations, if any, to the joint committee on envi-
66 ronment, natural resources and agriculture and the house and senate
67 committees on ways and means by February 1, 2008.