

HOUSE No. 2111

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas J. Calter and Viriato M. deMacedo

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 relative to the water resources of the Central Plymouth County Water District.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>Viriato M. deMacedo</i>	<i>Plymouth and Barnstable</i>
<i>Carlos Gonzalez</i>	<i>10th Hampden</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>

HOUSE No. 2111

By Representative Calter of Kingston and Senator deMacedo, a joint petition (accompanied by bill, House, No. 2111) of Thomas J. Calter and others for legislation to authorize the city of Brockton and the town of Whitman to become members of the Massachusetts Water Resources Authority. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to the water resources of the Central Plymouth County Water District.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately reduce the burden on the water resources in the Central Plymouth County Water District and to ensure a clean and abundant water supply for the City of Brockton and the Town of Whitman, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public 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 1. It is hereby determined that:

2 (a) The water resources of the Central Plymouth County Water District are overtaxed
3 by the City of Brockton’s water demand and a permanent solution to the City of Brockton’s
4 water needs is necessary.

5 (b) Immediate steps must be taken to preserve and protect the water resources of the
6 Central Plymouth County Water District.

7 (c) The City of Brockton and the Town of Whitman shall become full water services
8 members of the Massachusetts Water Resources Authority.

9 SECTION 2. Notwithstanding any other provision of general law, special law, regulation
10 or operating policy to the contrary, effective January 1, 2018 the City of Brockton shall:

11 (1) Purchase water from the Aquaria desalination to the maximum daily amount
12 specified in its contract with Aquaria.

13 (2) Increase its use of water from the Brockton (Avon) Reservoir to the maximum
14 allowed by its permit with the Department of Environmental Protection.

15 (3) Implement a leak detection and/or unaccounted water loss prevention program,
16 and issue monthly reports to the Department of Environmental Protection and the Central
17 Plymouth County Water District Commission on such water loss.

18 (4) Restrict sales of water from Silver Lake and the other water bodies in the Central
19 Plymouth County Water District to only those towns located in the Central Plymouth County
20 Water District.

21 (5) Cease all diversion of water from Monponsett Pond located in the towns of
22 Halifax and Hanson. Open the gates in the dam at the Stump Brook outflow stream.

23 (6) Cease all diversion of water from Furnace Pond located in the town of Pembroke.
24 Open the gates in the dam at the Herring Brook outflow stream.

25 The Department of Environmental Protection shall enforce the above provisions. These
26 provisions shall remain in effect until the City of Brockton and the Town of Whitman become
27 full water service members of the Massachusetts Water Resources Authority.

28 Section 3. Notwithstanding any other provision of general law, special law, regulation or
29 operating policy to the contrary, the City of Brockton and the Town of Whitman shall be full
30 water service members of the Massachusetts Water Resources Authority effective July 1, 2019.

31 Upon becoming a full water services member of the Massachusetts Water Resources
32 Authority the City of Brockton shall cease taking water from Silver Lake or any of the other
33 water bodies in the Central Plymouth County Water District.

34 Section 4. Notwithstanding any other provision of general law, special law, regulation or
35 operating policy to the contrary, effective July 1, 2019 the Department of Environmental
36 Protection shall take ownership and operational control of the waterworks that were established
37 by St. 1964, c.371. The Department of Environmental Protection shall operate these waterworks
38 in collaboration with the towns in the Central Plymouth County Water District.

39

40

41