

SENATE No. 520

The Commonwealth of Massachusetts

PRESENTED BY:

Diana DiZoglio

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 create a Merrimack River District Commission.

PETITION OF:

NAME:

Diana DiZoglio

DISTRICT/ADDRESS:

First Essex

SENATE No. 520

By Ms. DiZoglio, a petition (accompanied by bill, Senate, No. 520) of Diana DiZoglio for legislation to create a Merrimack River District Commission. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

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

An Act to create a Merrimack River District 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 There shall be a Merrimack river district commission to review the state of health of the
2 Merrimack river and its tributaries in order to improve and restore water quality. The
3 commission’s review shall include, but shall not be limited to: (i) current wastewater discharges
4 from municipal and industrial sources; (ii) combined sewer overflow discharge standards; (iii)
5 discharge flow data collection and distribution; (iv) monitoring of water quality standards and
6 criteria; (v) a notification system for alerts to the public; (vi) optimal research technology; (vii)
7 cost and cost-sharing among communities, including grant and other funding opportunities; and
8 (viii) time frames for achieving the benchmark health goals.

9 The Merrimack River Watershed Council shall be charged with managing and overseeing
10 the commission. The commission shall consist of members or designees that may include
11 representation from the following: the Merrimack Valley Planning Commission; Northern
12 Middlesex Council of Governments; department of environmental protection; department of

13 public health; department of energy resources; Massachusetts emergency management agency;
14 the department of conservation and recreation; University of Massachusetts at Lowell;
15 Groundwork Lawrence, Inc.; Lowell Parks and Conservation Trust, Inc.; Conservation Law
16 Foundation, Inc.; MassBays National Estuary Partnership; and Massachusetts River Alliance.

17 The commission shall be advised by and consult with an advisory panel that shall consist
18 of appointees that may include the following: 1 appointee of mayor, town manager or department
19 of public works staff in the municipalities along the Merrimack river; 1 appointee of each
20 operator or manager of a sewer or combined sewer overflow location along the Merrimack river;
21 and 1 appointee of each conservation commission and along the Merrimack river who
22 administers and enforces section 40 of chapter 131 of the General Laws and stormwater
23 management standards.

24 Appointments to the commission and the advisory panel shall be made not later than 30
25 days after the effective date of this act.

26 The department of environmental protection may furnish reasonable staff and other
27 support for the work of the commission. Members shall not receive compensation for their
28 service, but may receive reimbursement for reasonable expenses incurred in carrying out their
29 responsibilities as members of the commission.

30 The commission may select and contract with independent consultants to assist with
31 leading and managing public hearings, collecting and analyzing data and information,
32 completing a final report and any other activity to achieve the goals of the commission.

33 The commission may conduct a series of public hearings to receive testimony and collect
34 data. The hearings shall be held in geographic locations bordering the Merrimack river.

35 The commission shall make recommendations regarding appropriate measures to ensure
36 the present and future health of the Merrimack river and its tributaries by addressing pollution
37 and ensuring that the Merrimack river and its tributaries meet applicable standards for public use
38 and enjoyment. The recommendations shall include an implementation plan. The implementation
39 plan shall include, but not be limited to, a determination of the infrastructure, equipment,
40 communication systems, funding and programs necessary to establish a baseline health goal for
41 the Merrimack river to maximize its environmental, economic, recreational and aesthetic
42 potential.

43 Not later than January 1, 2023, the commission shall submit a written report of its
44 findings and recommendations, together with any proposed legislation, to the clerks of the senate
45 and the house of representatives. The first meeting of the commission shall be not later than
46 January 1, 2022.