

SENATE No. 541

The Commonwealth of Massachusetts

PRESENTED BY:

Susan L. Moran

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 protecting the upper Cape water supply reserve.

PETITION OF:

NAME:

Susan L. Moran

DISTRICT/ADDRESS:

Plymouth and Barnstable

SENATE No. 541

By Ms. Moran, a petition (accompanied by bill, Senate, No. 541) of Susan L. Moran for legislation to protect the upper Cape water supply reserve. Environment and Natural Resources.

The Commonwealth of Massachusetts

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

An Act protecting the upper Cape water supply reserve.

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 5 of Chapter 47 of the Acts of 2002 (“An Act relative to the Environmental
2 Protection of the Massachusetts Military Reservation”) is hereby amended by adding at the end
3 thereof the following:-

4 In evaluating any proposal for new or expanded activity within the Reserve that requires
5 ten acres or more of habitat destruction or clearcutting of forested land, the Commission shall
6 take no action prior to receiving written recommendations from (a) the Community Advisory
7 Council; (b) the Science Advisory Council; (c) the Upper Cape Regional Water Supply
8 Cooperative and (d) the Cape Cod Commission, as to whether the proposed activity violates any
9 of the environmental performance standards included in the final environmental impact report
10 regarding activities on the Reserve, or whether adjustment of the environmental performance
11 standards is warranted.

12 If, following receipt of the aforesaid recommendations, the Commission determines (a)
13 that the proposed activity does not violate said standards, or (b) adjusting said standards is
14 warranted, the Commission shall hold, at minimum, a public hearing on its proposed
15 determination in Sandwich, Mashpee, Falmouth, or Bourne, prior to publishing a notice of
16 availability of the proposed adjustment.