

**HOUSE . . . . . No. 5041**

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**The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES, June 25, 2008.

The committee on Ways and Means, to whom was referred the Bill establishing a Charles River water quality commission (House, No. 897), report recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 5041).

For the committee,

ROBERT A. DELEO.

**The Commonwealth of Massachusetts**

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In the Year Two Thousand and Eight.

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AN ACT ESTABLISHING A CHARLES 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) Notwithstanding any general or special law to the  
2 contrary, there shall be established the Charles River Water  
3 Quality Commission which shall consist of chairs of the joint  
4 committee on environment, natural resources and agriculture, who  
5 shall serve as co-chairs, 1 member of the house of representatives  
6 who shall be appointed by the speaker of the house; 1 member of  
7 the senate who shall be appointed by the president of the senate;  
8 1 member of the house of representative who shall be appointed  
9 by the minority leader; 1 member of the senate who shall be  
10 appointed by the senate minority leader; 7 members who shall be  
11 appointed by the governor, 1 of whom shall be a representative of  
12 the Environmental Protection Agency selected from 3 nomina-  
13 tions recommended by the Environmental Protection Agency; 1 of  
14 whom shall be a representative of the department of conservation  
15 and recreation; 1 of whom shall be a representative of the depart-  
16 ment of environmental protection; 1 of whom shall be a represen-  
17 tative from the swimmable Charles River working group selected  
18 from 3 nominations made by the Charles River Conservancy; 1 of  
19 whom shall be an environmental water expert from a college or  
20 university; and 1 of whom shall be a representative from the  
21 Charles River Watershed Association selected from 3 nominations  
22 made by the Charles River Watershed Association. All members  
23 shall serve without compensation. Said commission may consult  
24 individuals and entities outside of its membership for research,  
25 advice, support and other functions necessary and appropriate to  
26 accomplish the commission's objectives.

27 (b) The commission shall make an investigation and study  
28 relative to improving the conditions necessary to, and determining  
29 the feasibility of, bringing the water quality in the Charles River

30 lower basin to a level safe for swimming. The commission shall  
31 support the goals established in 1995 by the Clean Charles River  
32 2005 Environmental Protection Agency Initiative and assist with  
33 the objectives of the swimmable Charles River working group to  
34 improve water quality in the Charles River. The commission shall  
35 study the water quality of the lower Charles River basin including,  
36 but not limited to: (1) the collection of existing data concerning  
37 bacteria, viral, turbidity, clarity, and all other water quality and  
38 environmental parameters that may affect human exposure to  
39 water from the Charles River; (2) the collection of existing data  
40 concerning sediment volume and quality; (3) identification of  
41 additional data, technologies, engineering solutions, or environ-  
42 mental solutions necessary with cost estimates to decontaminate  
43 toxic sediments from the Charles River; (4) identification of addi-  
44 tional data, various technologies, engineering solutions, or envi-  
45 ronmental solutions necessary with cost estimates to improve  
46 water quality that may impact human exposure to water from the  
47 Charles River, and the creation of public swimming areas and  
48 facilities in the lower Charles River on department of conserva-  
49 tion and recreation property; (5) sites for the development of  
50 public swimming areas along the lower Charles River basin,  
51 taking into account current uses, public transportation, and any  
52 environmental factors.

53 (c) The commission shall submit a report of its findings  
54 together with legislation, if any, to the chairs of the joint com-  
55 mittee on environment, natural resources and agriculture and the  
56 chairs of the house and senate committees on ways and means no  
57 later than February 1, 2009.