

[ON LETTERHEAD]

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VIA ELECTRONIC MAIL

The Honorable Rebecca Rausch, Senate Chair
Joint Committee on Environment & Natural Resources
State House, Room 473F
Boston, MA 02133

The Honorable Daniel Cahill, House Chair
Joint Committee on Environment & Natural Resources
State House, Room 473F
Boston, MA 02133

Re: Testimony of [Community Name] in Opposition to H.897/S.447: An Act Relative to the Quabbin Watershed and Regional Equity

Dear Chairs Rasch and Cahill:

Introduction

On behalf of the ratepayers of [Community Name], a member community of the Massachusetts Water Resources Authority (MWRA), [Community Name] stands in opposition to H.897/S.447, "An Act Relative to the Quabbin Watershed and Regional Equity." We share many of the apprehensions raised by the MWRA Advisory Board and are similarly deeply concerned by the proposed legislation's disregard for environmental justice principles, unnecessary interference with the MWRA's established governance structure, and most importantly the significant burdens this legislation would place on our residents and businesses - the ratepayers who ultimately pay for the service provided by MWRA.

Unfair Burdens and Environmental Justice Concerns

The proposed per-gallon tax on Quabbin Reservoir water unfairly targets consumers within the MWRA service area. Unlike private utilities, the MWRA operates on a non-profit model, solely recovering costs associated with water delivery. This tax would impose an unreasonable and regressive burden on residents, disproportionately impacting low-income populations already struggling with rising costs. Furthermore, considering the high concentration of minority, non-English speaking, and low-income residents within MWRA communities, this tax constitutes a significant environmental justice issue, exacerbating existing inequalities and undermining the principle of equitable access to clean water.

Unfair Expansion of PILOT Payments and Existing Benefits

The legislation's proposed change to include submerged land in the PILOT payment calculation is not only patently unfair to ratepayers but sets a dangerous precedent for other public lands making similar payments statewide. This expansion would significantly increase the financial burden on

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organizations holding land in public trust, including the MWRA, which already pays the highest possible PILOT rates within these communities; furthermore, it sets aside the [public trust doctrine](#) that underpins the state's land laws, which holds submerged lands to be wholly in the public domain.

Additionally, the bill disregards the “duplicate” payments received by certain towns that gained land from the Quabbin creation. While these towns received a one-time payment to offset lost tax revenue through 1938 legislation, they subsequently began receiving annual PILOT payments, and an extra (duplicate) payment for the land they inherited “...the sum of which shall not be less than fifty thousand annually,” through legislation in 1985. This extra payment (valued in the same manner as other PILOT payments) continues to this day for six communities despite the explicit language in the 1938 legislation stating otherwise. This creates a situation where towns receive additional payments for the same land beyond the PILOT payments that MWRA pays at the highest tax rate in each community.

It's important to acknowledge that Quabbin communities already benefit significantly beyond PILOT payments. The Division of Water Supply Protection provides valuable grants and training programs directly enhancing water protection within these communities. Additionally, the Quabbin Reservoir attracts visitors, potentially boosting local economies through tourism and increased spending at local businesses.

Unnecessary Interference with MWRA Governance

The proposed changes to the MWRA's Board of Directors composition threaten a carefully balanced and successful governance structure that has demonstrably served both ratepayers and the water system well. Currently, no single group, including gubernatorial appointees, City of Boston representatives, Advisory Board appointees, or MWRA facility host community representatives, holds an overwhelming majority on the Board. This ensures that diverse perspectives collaborate on decisions impacting the MWRA's affairs. Adding additional gubernatorial appointees would fundamentally disrupt this balance. Altering the Board composition for seemingly unrelated reasons is ill-advised and could potentially jeopardize the Authority's continued success.

Expanding Feasibility Study Beyond Appropriate Scope

While we support evaluating water system expansion for communities near the Quabbin Reservoir, the bill's inclusion of 70 additional communities across four river basins significantly expands the scope beyond a feasibility study for delivering water from the Quabbin to communities in need. This shift towards a broader economic development study falls far outside the MWRA's core mission and saddles ratepayers with an estimated \$2.5 million cost burden. Focusing on the feasibility of serving the 12 initially proposed communities, with an estimated cost of \$375 thousand, is a far more responsible and cost-effective approach before considering such a vast expansion. Moreover, a comprehensive economic development study is beyond the MWRA's expertise and mandate.

Conclusion

For the reasons outlined above, we urge the committee to reject H.897/S.447. The proposed water

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tax, unfair expansion of PILOT payments, and unnecessary interference with the MWRA's governance and core mission create significant burdens on consumers, set dangerous precedents, and ultimately undermine the well-being of both Quabbin communities and ratepayers. Instead, pursuing a focused water delivery feasibility study for the communities directly surrounding the Quabbin Reservoir would be a far more responsible and effective approach.

Sincerely,

[Name]

[Title]

cc: John Sanchez, MWRA Advisory Board Chair
Matthew A. Romero, MWRA Advisory Board Executive Director
Fred Laskey, MWRA Executive Director
Sean Navin, MWRA Director of Public Affairs