



For a thriving New England

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March 18, 2016

Terri Seelye
Courtroom Clerk for Judge Richard G. Stearns
United States District Court
One Courthouse Way, Suite 2300
Boston, MA 02210

Re: U.S. v. Metropolitan District Commission et al., Civil Action No. 85-0489- RGS;
Conservation Law Foundation of N.E., Inc. v. MDC, et al., Civil Action No. 83-1614- RGS

Dear Ms. Seelye:

I am writing this letter as our final formal correspondence in this matter. Conservation Law Foundation (CLF) filed its 60-day notice letter pursuant to Section 505(a)(1) of the Clean Water Act in the summer of 1983, expressing its intention to bring federal legal action against the Commonwealth of Massachusetts, the Metropolitan District Commission, and the U.S. Environmental Protection Agency for chronic violations of the Clear Water Act from Boston's metropolitan sewerage system.

I can say with confidence that CLF had no idea at the time how deep the underlying infrastructure and institutional problems were that produced the desperate contamination situation we all faced back then when 70 tons of raw sludge and 350,000 mgd of poorly treated wastewater were being discharged into the harbor every day. And looking today at the results of the past 33 years' activities, it is easy to gloss over the truly herculean, multi-institutional effort that ultimately materialized in response to that 60-day notice of violation. Somehow, almost miraculously, the entire wholesale sewerage and water system for metropolitan Boston has been rebuilt – in many cases from scratch – while metropolitan life continued on without a hitch on the surface.

On behalf of CLF's Board of Directors, membership, and staff, I would like to put on the record CLF's profound and lasting appreciation for the many efforts – small and large – that produced such notable achievements: a clean and thriving harbor; a new federal park featuring Boston harbor; an unforeseeable explosion of public and private investments along the harbor and in the City's future; clean beaches that residents and visitors to Boston can use with confidence; and so many more wonderful outcomes.

In particular, we need to point out several prominent players in this multi-decadal effort. First, the federal court rose to the significant challenge of overseeing and prodding the engineering, legal, and political processes along with great wisdom and purpose. Boston is fortunate to have such a capable judiciary and jurists. Second, we want to note our appreciation to the Massachusetts Water Resources Authority, an agency that arose from the ashes of the non-functional MDC to become one of the preeminent water and sewerage agencies in the world. The MWRA, its staff, and its boards



showed what was possible for a public works project in Massachusetts, bringing the vital new systems on line on schedule and under budget. CLF would also like to commend the U.S. Environmental Protection Agency, who started off as a defendant in this case but quickly became the lead plaintiff and ensured that the system that was being built would get the job done and quickly recognized and addressed the importance of addressing the combined sewerage system overflows as well as the more prominent outfalls at the end of the lines.

Of course, these institutions did nothing. It was the people in the institutions who worked the impossibly long and difficult hours on this project over the past 33 years who produced these results. They are too numerous to mention. And while the leaders involved in the case were all remarkable, their efforts would have fallen flat if it weren't for the engineers, accountants, law clerks, trades people, lawyers, financiers, and the hundreds of other specialty walks of life that collectively rolled up their sleeves and made it happen.

Finally, we would like to thank the thousands of business and household ratepayers. This was not an easy 33 years for anyone watching the ever-mounting water and sewer bills and there is no question that many families and businesses struggled to keep up. But the MWRA's ratepayers, who were well served by the MWRA Advisory Board, supported the vision for a better future for Boston harbor and its surroundings and got the job done. Future generations will never fully appreciate the scale of the effort that produced a clean harbor but with continued dedication and vigilance, they will enjoy the fruit of those labors.

To everyone involved and on behalf of all the beneficiaries of those efforts that have no voice – the fish and the marine mammals and all the other biological components of Boston's now shining harbor – thank you.

Sincerely,

A handwritten signature in blue ink that reads "Peter Shelley".

Peter Shelley
Senior Counsel

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified in the Notice of Electronic Filing (NEF) on March 18, 2016.

/s/ Peter Shelley
Peter Shelley