

Intergovernmental Compact



The Chesterfield Gorge is located on the East Branch of the Westfield River. The Westfield River has been designated a National Wild and Scenic River thanks in part to the signing of the Westfield River Protection Memorandum of Agreement

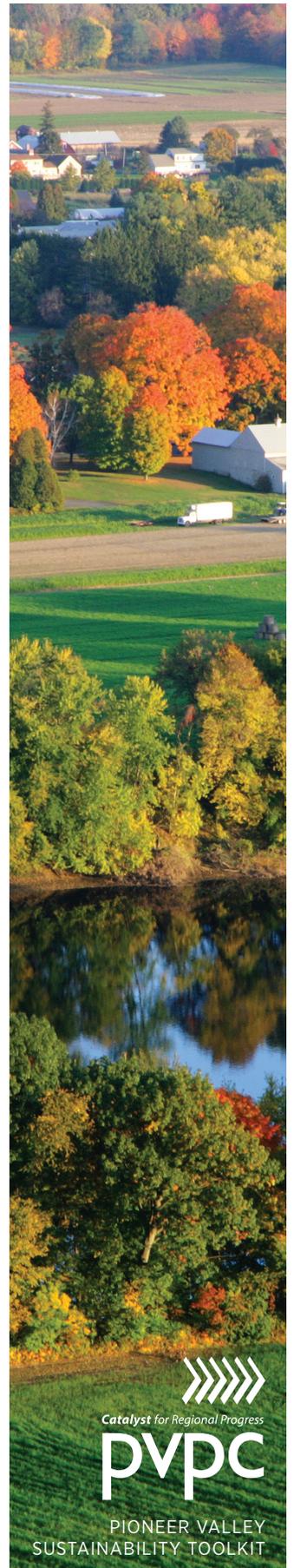
What are the objectives of an intergovernmental compact?

An intergovernmental compact is a cooperative effort between local, state, and/or federal government entities that binds the parties involved through joint exercises of power to actively participate in carrying out an agreed upon activity. The problems addressed by compacts were initially used primarily to settle boundary disputes. Compacts are now being used in an ever-expanding number and variety of fields that are relevant to planning such as: energy conservation, mass transit, education, pollution control, law enforcement and corrections, natural hazards mitigation, land use and water resources, and a myriad of other applications.

Why do we need to encourage intergovernmental compacts in our community?

Intergovernmental cooperation allows for economies of scale, the provision of specialized services that would not otherwise be available to small governments, maximum utilization of certain types of capital-intensive facilities, and specialization among governments. Such cooperative efforts also avoid the unnecessary duplication of governmental services, inefficient distribution of resources or expertise, and the need to change basic governmental structure.

A variety of challenges that face the Pioneer Valley are regional in scope and thus require the collaboration of multiple actors and stakeholders in order to be effectively addressed. Intergovernmental compacts are legally binding agreements that ensure that



the services, activities or undertakings detailed in the compact will be attended to by all parties involved for the duration of the compact. By entering into an intergovernmental compact, the parties involved can be assured that each member will be held accountable by other members for upholding their respective roles.

How do intergovernmental compacts work?

Communities may decide that it is mutually beneficial to work together and develop an intergovernmental compact on any issue of significance to more than one community. Examples of compact topics can range from protecting regional natural resources, to managing growth and development, to shared municipal services such as health agents or emergency call services. Chapter 40, Section 4A of the Massachusetts General Laws provides authorization for intergovernmental compacts and establishes that intergovernmental compacts may be entered into by the chief executive officer of a city or town, or a board, committee or officer authorized by law to execute a contract in the name of a government unit with other governmental units. Typically, an intergovernmental compact is managed through membership by involved parties on a commission, board, or other entity formed to oversee the cooperative efforts. A ‘governmental unit’ consists of a city, town or a regional school district, a regional planning commission, a regional transit authority, a water and sewer commission, a county, or a state agency as defined under Massachusetts General Laws. A governmental unit in turn may raise money by any lawful means, including the incurring of debt for purposes which it may legally incur debt, to meet its obligations under the compact agreement. No governmental unit is exempt from liability for its obligations under an agreement lawfully entered into.

Intergovernmental compacts detail the responsibilities and duties of participating governmental units through a ‘memorandum of agreement’. Participating cities and towns, for instance, may agree to pursue strategies such as the adoption and enforcement of new zoning bylaws, or the use of community funds to acquire lands of conservation interest. A regional planning agency such as PVPC may be required to assist municipalities in meeting their responsibilities and to monitor their compliance. State and Federal agencies may in turn be required to enforce all applicable laws and regulations as it applies to the aims of the intergovernmental compact.

DID YOU KNOW...

That in 1990 six towns along the East Branch of the Westfield River, PVPC and the Westfield River Watershed Association signed a “Memorandum of Agreement” that was the first step leading to the Wild and Scenic River designation by the State.

EXAMPLES FROM THE PIONEER VALLEY

The Connecticut River Clean-up Committee (CRCC)

The Connecticut River Clean-up Committee (CRCC) is composed of representatives from four Massachusetts communities (Springfield, Chicopee, Holyoke, and Ludlow) and the Pioneer Valley Planning Commission (PVPC). Each of the municipal members are under EPA Administrative Orders to address the negative water quality impacts to the





The Connecticut River from atop Mt. Sugarloaf in South Deerfield. In 1993 the Connecticut River Clean-up Committee (CRCC) was formed by the signing of an intergovernmental compact

Connecticut River from combined sewer overflows (CSOs). CRCC was formed in 1993, with the signing of an intergovernmental compact between the communities and PVPC. The Committee is an action-oriented entity that explores funding sources and opportunities for intermunicipal cooperation on river cleanup. CRCC has been instrumental in leading efforts to secure federal funding for CSO control.

Over the past 20 years, the Connecticut River Clean-up Committee has made great strides in cleaning up the Connecticut River, with the support of our Massachusetts Congressional delegation. In fiscal years 1999 through 2010, CRCC worked to secure \$17.6 million in funding for clean-up of our rivers, including \$9.6 million in federal funds and \$8 million in matching local funds. CRCC has Using the CRCC as a vehicle, the members a high degree of inter-municipal collaboration has been achieved despite the absence of a metropolitan district commission. Key achievements of the regional collaboration as a whole include over one billion gallons/year in CSO discharges reduced, 18 miles of the Chicopee River and its tributaries have no CSOs, and the two largest CSOs on Connecticut River have been reduced by 415 million gallons per year.

Other intergovernmental compacts that have achieved success in the Pioneer Valley include the Barnes Aquifer Protection, Westfield River Protection, and Valley Vision Memorandums of Agreement.

A model bylaw or strategy is included in the Pioneer Valley Sustainability Toolkit.

FOR MORE INFORMATION, PLEASE CONTACT

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