

HOUSE No. 2852

The Commonwealth of Massachusetts

PRESENTED BY:

Dylan A. Fernandes

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 our coasts from offshore drilling.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>

<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>

HOUSE No. 2852

By Mr. Fernandes of Falmouth, a petition (accompanied by bill, House, No. 2852) of Dylan A. Fernandes and others relative to offshore drilling, expansion, exploration, development, or production in state waters. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act protecting our coasts from offshore drilling.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 21A of the General Laws is hereby amended by inserting after section 4C the
2 following section:-

3 Section 4D. (a) For the purposes of this section, the following terms shall have the
4 following meanings, unless the context clearly requires otherwise:

5 "Development", those activities taking place following the discovery of oil and natural
6 gas, including geophysical activity, drilling, platform construction, pipeline construction, and
7 operation of all onshore support facilities that are performed for the purposes of ultimately
8 producing the resources discovered.

9 "Exploration", the process of searching for oil and natural gas, including any drilling
10 whether on or off known geological structures, including the drilling of a well in which a
11 discovery of oil or natural gas is made and the drilling of any additional delineation well after the
12 discovery that is needed to delineate any reservoir and a lessee to determine whether to proceed

13 with development and production; and processes undertaken for the purpose of searching for oil
14 or natural gas, including seismic air gun blasting.

15 "Federal waters", those waters and submerged lands lying seaward to the state waters of
16 the commonwealth that appertain to the United States and are subject to federal jurisdiction and
17 control.

18 "New or additional exploration, development, or production of oil or natural gas",
19 includes any activity undertaken to increase the capacity of any pipeline or other infrastructure
20 used to convey oil or natural gas from federal waters.

21 "Production", those activities that take place after the successful completion of any means
22 for the removal of oil and natural gas, including that removal, field operations, transfer or
23 resources to shore, operation, monitoring, maintenance, and workover drilling; "Producing"
24 means undertaking those activities.

25 (b) Notwithstanding any general law to the contrary, offshore drilling for oil or natural
26 gas shall be prohibited in state waters and no tidal or submerged lands in state waters shall be
27 leased for the purposes of oil or natural gas exploration, development or production. All onshore
28 activities related to the development and exploration of offshore drilling for oil or natural gas for
29 the purpose of establishing the development of offshore drilling for oil and natural gas in
30 Massachusetts coastal waters or federal waters surrounding Massachusetts coastal waters shall be
31 prohibited.

32 (c) The executive office of energy and environmental affairs and any office or department
33 within said executive office shall not:

34 issue any permit, approval or authorization pursuant to the federal Coastal Zone
35 Management Act of 1972 as amended, 16 U.S.C. s.1451 et seq., or any other state or federal law,
36 rule, or regulation, for the development of any infrastructure or any activity in state waters
37 associated with offshore drilling for oil or natural gas or increased oil or natural gas exploration,
38 development or production in state waters or outside of state waters;

39 enter into any lease or other conveyance of tidal or submerged lands in state waters that
40 authorizes: (i) drilling for oil or natural gas; (ii) the construction or development of infrastructure
41 related to increased oil and gas exploration, development or production in or outside of state
42 waters; or (iii) any other exploration, development or production of oil or natural gas;

43 renew or extend existing permits, leases or other conveyances or approvals for oil or
44 natural gas exploration, development or production in state waters, or modify any such existing
45 permits, leases or other conveyances or approvals to authorize any new or additional exploration,
46 development, or production of oil or natural gas;

47 permit, approve or otherwise authorize any oil or natural gas exploration, development or
48 production in state waters; or

49 develop, adopt or endorse any plans for the exploration, development or production of oil
50 and natural gas in state waters.

51 (d) Nothing in this section shall prohibit activities in state waters related to repairing or
52 maintaining existing infrastructure as necessary to ensure the safe operation of existing activities.

53 (e) The executive office of energy and environmental affairs shall promulgate rules and
54 regulations as necessary for the implementation and enforcement of this section.