

HOUSE No. 683

The Commonwealth of Massachusetts

PRESENTED BY:

Susan Williams Gifford and Keiko M. Orrall

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 relative to the Massachusetts Wetlands Protection Act.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Susan Williams Gifford

2nd Plymouth

Keiko M. Orrall

12th Bristol

HOUSE No. 683

By Representatives Gifford of Wareham and Orrall of Lakeville, a petition (accompanied by bill, House, No. 683) of Susan Williams Gifford and Keiko M. Orrall relative to resource areas that are primarily used in the growing of aquatic organisms. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to the Massachusetts Wetlands Protection Act.

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. Section 40 of Chapter 131 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by inserting in line 7 after the word “enlarging,” the
3 following:

4 a resource area that is primarily used in the growing of aquatic organisms under
5 controlled conditions and used to protect the physical passage of migrating anadromous and
6 catadromous fish with the minimum work necessary to remove a specific and identifiable
7 impediment to fish passage including the removal of downed trees that impede fish passage,
8 removal of built up sediment and sandbars that impede fish passage, removal of excessive
9 vegetation blocking fish passage, and the maintenance of fish ladders and must only be carried
10 out by the division of marine fisheries, appointed herring wardens or under the auspices of
11 authorized public entities and must not impact other protected interests of this section,

12 SECTION 2. Section 40 of Chapter 131 of the General Laws, as appearing in the 2012
13 Official Edition, is hereby amended by inserting after the words “riverfront area.” in line 227 the
14 following paragraph:

15 The term “Resource area” as used in this section shall mean any bank, riverfront area,
16 fresh water wetland, coastal wetland, beach, dune, flat, marsh, meadow or swamp bordering on
17 the ocean or on any estuary, creek, river, stream, pond, or lake, or any land under said waters or
18 any land subject to tidal action, coastal storm flowage, or flooding.