

By Mr. Hatch of Beverly, petition of Francis W. Hatch, Jr., Thomas Bussone, Robert E. Cahill, Henry J. O'Donnell III, J. Hilary Rockett and William L. Saltonstall relative to establishing a South Essex ocean sanctuary. Natural Resources and Agriculture.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy-Two.

**AN ACT ESTABLISHING A SOUTH ESSEX OCEAN SANCTUARY.**

*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 132A of the General Laws is hereby amended by  
2 adding the following section: —

3 *Section 16.* There is hereby established to and in a seaward  
4 direction from the Massachusetts coastline, a protected ocean  
5 area to be known as the South Essex Ocean Sanctuary.

6 Said South Essex Ocean Sanctuary is bounded and described  
7 as follows: Beginning at Pickworth Point in the Town of  
8 Manchester, thence by a line bearing south southeasterly 150°  
9 seaward to a distance of three miles, thence southerly along a  
10 line parallel to and three miles from the line of mean low  
11 water of the Commonwealth to the point of intersection with  
12 the extension of the boundary line between the city of Lynn  
13 and the town of Swampscott, then northwesterly along said  
14 boundary extension to the line of mean low water, thence  
15 easterly, southeasterly, northeasterly, northwesterly and north-  
16 easterly along the line of mean low water of the Common-  
17 wealth to the point or place of beginning.

18 The following activities shall be prohibited in the ocean  
19 sanctuary: the building of any commercial structure on the  
20 seabed on or under the subsoil; the removal of any sand, gravel  
21 or other mineral without a license or permit from the Depart-  
22 ment of Natural Resources; commercial advertising; the  
23 dumping of any commercial or industrial wastes excepting such

24 industrial liquid coolant wastes presently allowed by the  
25 Division of Water Pollution Control in conjunction with the  
26 public and private supply of electrical power; or the incinera-  
27 tion of solid waste material or refuse on, or in, vessels moored  
28 or afloat within the boundaries of the ocean sanctuary de-  
29 scribed herein.

30 This section is not intended to prohibit the laying of cables  
31 approved by the Department of Public Works or channel and  
32 shore protection projects, navigation aids, projects authorized  
33 under Chapter 91, deemed to be of public necessity and con-  
34 venience effected by municipalities, governmental districts and  
35 the federal government, contingent upon required approval  
36 wherever applicable by the United States Corps of Engineers,  
37 the Division of Water Pollution Control, the Department of  
38 Public Works, and the Department of Natural Resources, or  
39 other improvements approved by appropriate federal and state  
40 agencies.

41 Nothing in this section shall interfere with the harvesting or  
42 propagation of fish and shellfish in all forms, so long as the  
43 Department of Natural Resources is satisfied that such activities  
44 are carried on in accordance with sound conservation practices,  
45 nor with the issuance of joint permits by the Department of  
46 Natural Resources and the Department of Public Works for  
47 temporary educational and scientific purposes.

48 The Attorney General shall take such action as may be  
49 necessary from time to time to enforce the provisions of this  
50 section. The Superior Court shall have jurisdiction in equity to  
51 enforce the provisions of this section.