

By Mr. Wetmore of Barre, petition of Robert D. Wetmore relative to requiring the Department of Public Works to consider certain factors in licensing proposed work in tidelands. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

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

AN ACT REQUIRING THE DEPARTMENT OF PUBLIC WORKS TO CONSIDER CERTAIN FACTORS IN LICENSING PROPOSED WORK IN TIDELANDS.

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 14 of chapter 91 of the General Laws, as appearing in
2 the Tercentenary Edition, is hereby amended after the word
3 "may" in line 1 the words: — upon payment of a fee of one
4 hundred dollars.

5 *Section 2.* Chapter 91 of the General Laws is hereby amended
6 by adding to section 14 the following paragraph: — The decision
7 as to whether a license will be granted shall be based, after
8 consultation with such other departments or agencies of the
9 commonwealth which have jurisdiction by law or special
10 expertise with respect to the proposed work or its impact, on an
11 evaluation of all relevant factors including, but not limited to,
12 navigation, pollution, natural resources, marine fisheries, and
13 wildlife, historic preservation and scenic protection, recreational
14 opportunities including access to the water and the water's edge,
15 provision for park land and private and public open spaces and
16 the general public interest including the public benefits to be
17 realized from the licensing of the proposed work. Upon full

18 consideration of all relevant factors and after a public hearing,
 19 the department shall determine whether, in the public interest, a
 20 license shall be issued and, when granting a license, the
 21 conditions, if any, to which it will be subject in view of its
 22 evaluation of said relevant factors. The provisions of chapter
 23 30A shall apply to public hearings held under this section.