

SENATE No. 1139

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 1139) of Bruce E. Tarr, Anthony J. Verga and Robert L. Hedlund for legislation to enhance the development of aquaculture in the Commonwealth. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand and One.

AN ACT TO ENHANCE AQUACULTURE IN THE COMMONWEALTH.

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. The Secretary of Environmental Affairs, in con-
2 junction with the Commissioners of Fish and Wildlife, Food and
3 Agriculture and the Divisions of Marine Fisheries and Coastal
4 Zone Management, are hereby authorized and directed to develop
5 a marine aquaculture resource analysis and recommendations pro-
6 gram as provided in the following sections.

1 SECTION 2. Pursuant to the foregoing section and in conjunc-
2 tion with Salem State College and the University of
3 Massachusetts at Dartmouth, the Secretary shall develop, utilizing
4 Geographic Information Systems and other relevant technology, a
5 system of analyzing the Commonwealth's coastal zone, including
6 municipal waters, for potential use in aquaculture. Said means of
7 analysis shall take into account, at a minimum:

8 1. Existing Marine Habitat and the potential impacts of aqua-
9 culture.

9 2. Existing recreational and commercial uses.

10 3. Currents, tidal changes and other physical factors which
11 could impact upon an aquaculture project.

12 4. Pollution or other forms of potential contamination.

13 5. Existing local zoning ordinances or other relevant regula-
14 tions.

1 SECTION 3. Said system shall provide for a means by which
2 an individual or entity, upon payment of a reasonable fee which
3 shall, at minimum, reflect the cost of performing a requested
4 analysis, petition the Executive Office of Environmental Affairs
5 or its designee, for the analysis of a particular area as prescribed
6 by Section 2 above, provided that a municipality within the
7 Commonwealth shall be entitled to request such an analysis and/or
8 contribute in whole or in part to the funding thereof.

1 SECTION 4. The Secretary of Environmental Affairs is hereby
2 authorized and directed to develop, in conjunction with the
3 Massachusetts Office of Dispute Resolution, a program to facili-
4 tate the allocation of marine resources among uses, including
5 aquaculture, by which parties may effectively and productively
6 resolve disputes relative to said allocation by a municipality, the
7 Commonwealth and/or one or more individuals.