

HOUSE No. 847

By Mr. Rodrigues of Westport (by request), petition of Michael J. Rodrigues and others for legislation to streamline license applications and coastal planning of waterways within the Department of Environmental Protection. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

PETITION OF:

Michael J. Rodrigues Christine E. Canavan
David Begelfer

In the Year Two Thousand and Seven.

AN ACT TO STREAMLINE CHAPTER 91 LICENSE APPLICATIONS AND COASTAL PLANNING.

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 2 of M.G.L., c. 91 is hereby amended by
2 adding at the end of the first paragraph the following new sen-
3 tence:—

4 “It shall be responsible for designating and de-designating the
5 boundaries of Designated Port Areas, the review and approval of
6 Municipal Harbor Plans and to make findings regarding consistency
7 with coastal policies”.

8 A nonwater dependent project shall be deemed to serve a proper
9 public purpose if no less than 25% of the ground floor of any pro-
10 posed buildings located over the water or on filled Commonwealth
11 tidelands, or on filled private tidelands within 100 feet of the project
12 shoreline are set aside exclusively for use as facilities of public
13 accommodation.

1 SECTION 2. Within ninety days, the Secretary of the Executive
2 Office of Environmental Affairs shall promulgate regulations and
3 modify existing regulations to transfer the authority of the Office of

4 Coastal Zone Management to issue a finding of consistency with
5 coastal policies for coastal projects, for the review and approval of
6 Municipal Harbor Plans and to designate and de-designate bound-
7 aries of Designated Port Areas to the Department of Environmental
8 Protection. Within ninety days, the Department of Environmental
9 Protection shall promulgate regulations to effectuate the provisions
10 of this Act.

1 SECTION 3. This Act shall take effect upon its passage.