

SENATE NO. 548

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 conjunction with the commissioner of
2 Fish and Wildlife, Food and Agriculture, and the Divisions of Marine Fisheries and Coastal
3 Zone Management, are hereby authorized and directed to develop a marine aquaculture resource
4 analysis and recommendations program as provided in the following Sections.

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

- 10 1. Existing Marine Habitat and the potential impacts of aquaculture.
- 11 2. Existing recreational and commercial uses.
- 12 3. Currents, tidal changes and other physical factors which could impact upon an aquaculture
13 project.
- 14 4. Pollution or other forms of potential contamination.
- 15 5. Existing local zoning ordinances or other relevant regulations.

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

22 SECTION 4. The Secretary of Environmental Affairs is hereby authorized to develop, in
23 conjunction with the Massachusetts Office of Dispute Resolution, a program to facilitate the
24 allocation of marine resources among users, including aquaculture, by which parties may
25 effectively and productively resolve disputes relative to said allocation by a municipality, the
26 Commonwealth and/or one or more individuals.