

HOUSE No. 904

The Commonwealth of Massachusetts

PRESENTED BY:

Danillo A. Sena

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to increased protection of wildlife management areas.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>1/20/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>1/31/2023</i>
<i>Margaret R. Scarsdale</i>	<i>1st Middlesex</i>	<i>2/9/2023</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/16/2023</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/23/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/16/2023</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>3/29/2023</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>4/8/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>6/13/2023</i>
<i>Smitty Pignatelli</i>	<i>3rd Berkshire</i>	<i>9/12/2023</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>9/25/2023</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>10/2/2023</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>10/11/2023</i>
<i>Kate Donaghue</i>	<i>19th Worcester</i>	<i>10/25/2023</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>11/16/2023</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>11/27/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/18/2024</i>
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and</i>	<i>2/6/2024</i>

	<i>Hampshire</i>	
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/15/2024</i>
<i>Steven Owens</i>	<i>29th Middlesex</i>	<i>2/21/2024</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>2/28/2024</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>3/17/2024</i>

HOUSE No. 904

By Representative Sena of Acton, a petition (accompanied by bill, House, No. 904) of Danillo A. Sena and others relative to wildlife management areas. Environment and Natural Resources.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1002 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to increased protection of wildlife management areas.

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. Chapter 131 of the General Laws is hereby amended in Section 6 by
2 inserting the following-

3 (4) The director shall identify, mark and inform the public regarding all existing
4 designated reserve areas on the lands referred to as Wildlife Management Areas under its control
5 as of the date of passage of this law.

6 (5) On or before January 1, 2030, the department shall designate a minimum of 30% of
7 all Wildlife Management Area lands under its control as Wildlife Management Area Nature
8 Reserves. Further designations shall be made as additional lands are acquired in order to
9 maintain the minimum of 30% at all times.

10 The Council, pursuant to section 6(6) shall identify lands and waters as Nature Reserves
11 in accordance with the following criteria, which include areas that: contain a significant
12 proportion of trees that are very large, older than 100 years in age, or otherwise exceptional;
13 encompass or build on large blocks of contiguous forest; contain forest interior habitats;
14 encompass wetlands, riparian areas, or headwaters of streams; include Living Waters critical
15 watersheds; provide connectivity with existing reserves and other core natural areas; include
16 valley bottom land; have a high capacity for ongoing carbon capture and storage; contribute to
17 the mitigation of climate change impacts; are representative of all ecoregions in the state; provide
18 geographic redundancy to ensure against catastrophic disturbances; support viable rare or
19 imperiled natural communities; have unique or unusual ecological significance; or have
20 archeological or historical importance.

21 The Council may from time to time review these selection criteria to ensure they are
22 consistent with available scientific evidence and always serve to enhance ecological protection
23 and public welfare.

24 (6) The secretary of the Executive Office of Energy and Environmental Affairs shall
25 appoint a “Wildlife Management Area Nature Reserves Council,” hereinafter referred to as the
26 Council, to oversee the designation and management of the Nature Reserves, and to suggest
27 additional acquisitions to enhance the ecological value of the Nature Reserve program as a
28 whole. The Council shall consist of eight members, including: the director of the Division of
29 Fisheries and Wildlife or a designee; two members of the Natural Heritage and Endangered
30 Species Advisory Committee, appointed pursuant to Chapter 131 Section five B, who have
31 technical training and experience, one in the field of plant ecology and one in the field of
32 nongame wildlife and endangered species; one member from the Native Plant Trust or the Native

33 Tree Society; one member from the Woodwell Climate Research Center; one member who has
34 technical training and experience in the field of soil or watershed science; and two members of
35 the public with experience in natural area conservation.

36 The members of the council shall be reimbursed for their necessary expenses incurred in
37 the performance of their duties. Each member shall be appointed for a term of three years, except
38 that for the initial term, three members shall be appointed for one year, three members shall be
39 appointed for two years and two members shall be appointed for three years. Any person
40 appointed to fill a vacancy shall serve for the unexpired term. Any member shall be eligible for
41 reappointment.

42 The council's duties shall include advising the division on policies and rules and
43 regulations concerning nature reserves, consulting with the division regarding the nomination of
44 potential Nature Reserves, assisting in the preparation of a plan for each Nature Reserve, and
45 advising the division on budgetary matters related to such Nature Reserves. The council shall
46 submit a biennial report to the governor on or before May first of such year, describing the
47 condition of each Nature Reserve, outlining any actions taken by the council since the last report,
48 and making any recommendations related to the Nature Reserve program which the council
49 deems necessary.

50 (7) Wildlife Management Area Nature Reserves established in accordance with the
51 provisions of this section shall be monitored and maintained as nearly as possible in its natural
52 condition, and as defined in Chapter 31 section 1, and shall be used in a manner and under
53 limitations consistent with its status as a Nature Reserve, without impairment or artificial
54 development for the public purposes of present or future scientific research and education, and of

55 providing a habitat for plant and animal species, communities and other natural objects and for
56 preservation of areas representative of the significant habitats and ecosystems of the
57 commonwealth.

58 The division shall, after a determination that said parcel qualifies as a Wildlife
59 Management Area Nature Reserve, hold a public hearing thereon in accordance with the
60 provisions of Chapter 30A.

61 SECTION 2. Chapter 131 of the General Laws is hereby amended in Section 1 by
62 inserting the following-

63 “Wildlife Management Area Nature Reserve,” an area permanently designated by
64 Division of Fisheries and Wildlife that conserves intact ecosystems that are influenced primarily
65 by natural processes. Management priorities will include: biodiversity maintenance, nutrient
66 cycling and soil formation, long-term carbon sequestration, protection of late-successional and
67 old growth forest habitats, and opportunities for wilderness recreation. The timber in these
68 Nature Reserves shall not be sold, removed, or destroyed. Vegetation management shall be
69 allowed in circumstances where historical and scientific data prove such action is necessary to:
70 ensure public health and safety; provide fire protection and prevention; remove invasive species
71 or pests; restore or protect habitats for rare or endangered species and exemplary or rare natural
72 communities; control erosion and stabilize soils; maintain existing agricultural fields, vistas, and
73 hiking trails; or meet other regulatory requirements. Creation of new fields, vistas, and wildlife
74 openings is prohibited. The application of pesticides or herbicides shall not be permitted unless
75 there is a clear threat to public health and safety, as determined by the Massachusetts Department
76 of Public Health.