

SENATE No. 448

The Commonwealth of Massachusetts

PRESENTED BY:

Julian Cyr

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 protecting our coasts from offshore drilling.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Julian Cyr</i>	<i>Cape and Islands</i>	
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/23/2019</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>1/31/2019</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/1/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/12/2019</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>	<i>6/13/2019</i>

SENATE No. 448

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 448) of Julian Cyr, Timothy R. Whelan, Thomas M. Stanley, Joanne M. Comerford and others for legislation to protect our coasts from offshore drilling. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act protecting our coasts from offshore drilling.

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 21A of the General Laws is hereby amended by inserting after
2 section 4C the following section:-

3 Section 4D. (a) For the purposes of this section, the following terms shall have the
4 following meanings, unless the context clearly requires otherwise:

5 "Development", those activities taking place following the discovery of oil and natural
6 gas, including geophysical activity, drilling, platform construction, pipeline construction, and
7 operation of all onshore support facilities that are performed for the purposes of ultimately
8 producing the resources discovered.

9 "Exploration", the process of searching for oil and natural gas, including any drilling
10 whether on or off known geological structures, including the drilling of a well in which a
11 discovery of oil or natural gas is made and the drilling of any additional delineation well after the
12 discovery that is needed to delineate any reservoir and a lessee to determine whether to proceed

13 with development and production; and processes undertaken for the purpose of searching for oil
14 or natural gas, including seismic air gun blasting.

15 "Federal waters", those waters and submerged lands lying seaward to the state waters of
16 the commonwealth that appertain to the United States and are subject to federal jurisdiction and
17 control.

18 "New or additional exploration, development, or production of oil or natural gas",
19 includes any activity undertaken to increase the capacity of any pipeline or other infrastructure
20 used to convey oil or natural gas from federal waters.

21 "Production", those activities that take place after the successful completion of any means
22 for the removal of oil and natural gas, including that removal, field operations, transfer or
23 resources to shore, operation, monitoring, maintenance, and workover drilling; "Producing"
24 means undertaking those activities.

25 (b) Notwithstanding any general law to the contrary, offshore drilling for oil or natural
26 gas shall be prohibited in state waters and no tidal or submerged lands in state waters shall be
27 leased for the purposes of oil or natural gas exploration, development or production. All onshore
28 activities related to the development and exploration of offshore drilling for oil or natural gas for
29 the purpose of establishing the development of offshore drilling for oil and natural gas in
30 Massachusetts coastal waters or federal waters surrounding Massachusetts coastal waters shall be
31 prohibited.

32 (c) The executive office of energy and environmental affairs and any office or department
33 within said executive office shall not: issue any permit, approval or authorization pursuant to the
34 federal Coastal Zone Management Act of 1972 as amended, 16 U.S.C. s.1451 et seq., or any

35 other state or federal law, rule, or regulation, for the development of any infrastructure or any
36 activity in state waters associated with offshore drilling for oil or natural gas or increased oil or
37 natural gas exploration, development or production in state waters or outside of state waters;
38 enter into any lease or other conveyance of tidal or submerged lands in state waters that
39 authorizes: (i) drilling for oil or

40 natural gas; (ii) the construction or development of infrastructure related to increased oil
41 and gas exploration, development or production in or outside of state waters; or (iii) any other
42 exploration, development or production of oil or natural gas; renew or extend existing permits,
43 leases or other conveyances or approvals for oil or natural gas exploration, development or
44 production in state waters, or modify any such existing permits, leases or other conveyances or
45 approvals to authorize any new or additional exploration, development, or production of oil or
46 natural gas; permit, approve or otherwise authorize any oil or natural gas exploration,
47 development or production in state waters; or develop, adopt or endorse any plans for the
48 exploration, development or production of oil and natural gas in state waters.

49 (d) Nothing in this section shall prohibit activities in state waters related to repairing or
50 maintaining existing infrastructure as necessary to ensure the safe operation of existing activities.

51 (e) The executive office of energy and environmental affairs shall promulgate rules and
52 regulations as necessary for the implementation and enforcement of this section.