

**SENATE . . . . . No. 516**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Patrick M. O'Connor*

*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 waterways permitting.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/2/2019</i>
<i>James M. Murphy</i>	<i>4th Norfolk</i>	<i>1/31/2019</i>

**SENATE . . . . . No. 516**

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By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 516) of Patrick M. O'Connor, James K. Hawkins and James M. Murphy for legislation relative to waterways permitting. Environment, Natural Resources and Agriculture.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act relative to waterways permitting.

*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. Notwithstanding any general or special law to the contrary, the department  
2 of environmental protection shall interpret chapter 91 of the general laws, and any associated  
3 regulations, as requiring any facility ancillary to or associated with a water dependent use (i)  
4 must be ancillary or associated to the originally permitted use; or (ii) must be demanded as  
5 necessary or essential; (iii) is neither merely reasonable, suitable, or appropriate.