HOUSE DOCKET, NO. 6137 FILED ON: 5/13/2026

HOUSE . . . . . No. 5433

The Commonwealth of Massachusetts

PRESENTED BY:

Hadley Luddy and 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 regulating the use of fertilizer in the town of Wellfleet.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Hadley Luddy	*4th Barnstable*	*5/13/2026*

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HOUSE . . . . . No. 5433

By Representative Luddy of Orleans and Senator Cyr, a joint petition (accompanied by bill, House, No. 5433) of Hadley Luddy (by vote of the town) for legislation to regulate the use of fertilizer in the town of Wellfleet. Environment and Natural Resources. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act regulating the use of fertilizer in the town of Wellfleet.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. There is sound scientific evidence to conclude that nitrogen and phosphorus in fertilizers are contaminants that negatively affect fresh and salt waters when present in excessive amounts. These excessive amounts of nitrogen and phosphorus contribute to undesirable algae and aquatic plant growth within all Wellfleet water bodies. This undesirable algae and aquatic plant growth has an adverse effect on public health through the degradation of waters used for drinking water, shell fishing, and recreational swimming and boating.

SECTION 2. It is necessary to prohibit the application of fertilizer that contains phosphorus and nitrogen so as to improve the water quality of the Town of Wellfleet. The soils of Wellfleet are unique insofar as Wellfleet has significant amounts of course, sandy soils that are subject to rapid water infiltration, percolation and leaching of nutrients, and such unique local conditions require that Wellfleet prohibit the application of nitrogen and phosphorus added to soils through the application of fertilizers. This Act should help Wellfleet to achieve compliance

with the Total Maximum Daily Loads (TMDL) prescribed by the Commonwealth of Massachusetts for nitrogen and phosphorus in its waters.

SECTION 3. Notwithstanding any General or Special law to the contrary, including but not limited to any General or Special law conferring exclusive authority upon the Department of Agriculture to regulate and control the application of fertilizers elsewhere in the Commonwealth, the application of fertilizer containing nitrogen or phosphorus, or any other pollutants in the Town of Wellfleet is prohibited, except for the purposes of commercial agricultural and the residential use of organic fertilizer with low nitrogen and phosphorus for the use in growing fruits and vegetables.