

Senate, No. 2376

[Senate, April 12, 2010 – Substituted by amendment by the Senate (Ways and Means) for Senate, No. 2229.]

The Commonwealth of Massachusetts



IN THE YEAR OF TWO THOUSAND AND TEN

AN ACT AUTHORIZING CERTAIN DEVELOPMENT IN THE FORT POINT CHANNEL IN THE CITY OF BOSTON.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow forthwith for the granting of a chapter 91 license to the Boston Redevelopment Authority, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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 sections 14 and 34 of chapter 91 of the General Laws or
2 any other general or special law to the contrary, the department of environmental protection
3 may grant licenses to the Boston Redevelopment Authority and any co-applicant that otherwise
4 fulfills the requirements for a chapter 91 license, as determined by the department of
5 environmental protection, to construct, maintain and repair pile-supported and floating publicly-

6 accessible structures, including related utilities, as contemplated in “The Boston Inner Harbor
7 Passenger Water Transportation Plan”, dated January, 2000, prepared by Boston
8 Redevelopment Authority, or as contemplated in “The Fort Point Channel Watersheet
9 Activation Plan”, dated May, 2002, prepared by Boston Redevelopment Authority, as the same
10 may be amended from time to time, which projects are located in whole or in part beyond the
11 harbor line of the Fort Point Channel, such harbor line as established in prior legislative acts
12 including, but not limited to, chapter 35 of the acts of 1840 and chapter 170 of the acts of 1880.

13 **SECTION 2.** A final plan showing the specific location of the projects, located in
14 whole or in part beyond the Fort Point Channel harbor line, shall be incorporated into any
15 waterways license issued under this act. Plans showing the location of the projects shall be
16 prepared for the department of environmental protection and shall be on file at the department
17 for public inspection, as required by chapter 91 of the General Laws and any accompanying
18 regulations.

19 **SECTION 3.** Nothing in this act shall be construed to exempt any project from
20 substantive or procedural requirements of chapter 91 of the General Laws and any
21 accompanying regulations, other than the exemption permitted in this act from the harbor line
22 requirements of sections 14 and 34 of said chapter 91.