



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

March 20, 2019

Linda M. Morad, President
Honorable Members of the New Bedford City Council
133 William Street
New Bedford, MA 02740

Re: Proposed Aquaculture Ordinance

Dear Council President Morad and Members of the New Bedford City Council:

I am submitting for your consideration a proposed ordinance that will allow the City of New Bedford to permit commercial aquaculture in its waters. Through the ordinance, the New Bedford Port Authority ("NBPA") will manage commercial aquaculture farmers as directed by a committee made up of city councilors, port personnel, industry members, and additional stakeholders.

Management of commercial aquaculture fits into the NBPA's historical role within the City of New Bedford. The NBPA, through its enabling legislation, is responsible for the management of waterfront assets, such as piers and wharves and commercial activity within the watershed, such as moorings and vessel transit.

It is the goal of the NBPA to keep New Bedford on top as the #1 United States fishing port, expand existing businesses and capitalize on new opportunities that will maximize the Port's potential as an economic engine to create jobs and strengthen the New Bedford economy.

As the aquaculture industry has successfully established itself along the United States East Coast in recent years, the NBPA has moved to position itself to effectively attract commercial aquaculture operations in New Bedford waters. In early 2018, the NBPA put out a Request for Information to parties interested in commercial aquaculture in New Bedford waters and received a significant number of responses. This measure creates a framework to allow the NBPA to pursue these opportunities with appropriate reporting and monitoring by the Council.

We appreciate your attention to this important initiative.

Sincerely,



Jon Mitchell
Mayor



CITY OF NEW BEDFORD

In the Year Two Thousand and Nineteen

AN ORDINANCE

Amending Chapter 15, Licenses and Permits; Business Regulations

31- 509

Be it ordained by the City Council of the City of New Bedford as follows:—

SECTION 1.

Chapter 15, Article III, City Council's Licenses is amended by inserting the following after section 15-72.

Sec. 15-73. Shellfish aquaculture licenses

- (1) The City Council hereby delegates its authority to issue and administer shellfish aquaculture licenses in accordance with G.L. c. 130, §§ 57 et seq. to the New Bedford Harbor Development Commission, d/b/a the New Bedford Port Authority. Any license issued by the New Bedford Port Authority must be approved by the mayor.
- (2) The New Bedford Port Authority shall promulgate and enforce regulations pertaining to shellfish aquaculture licenses. Any such regulations shall be promulgated in accordance with the procedures mandated by law and shall be consistent with G.L. c. 130, §§ 57 et seq. In developing the initial regulations, the New Bedford Port Authority shall form a committee to provide input as to the content of the regulations. That committee shall include informed stakeholders, industry professionals, Port personnel, and two City Councilors designated by the City Council president.
- (3) The New Bedford Port Authority may, by regulation, establish and collect fees in connection with its issuance and administration of shellfish aquaculture licenses.
- (4) The New Bedford Port Authority shall promptly transmit to the City Council and City Clerk all of the information required to be maintained by the City pursuant to G.L. c. 130, § 62.
- (5) Before March 15 of each year, the New Bedford Port Authority shall deliver a report to the City Council's Fisheries Sub-committee. The report shall list the existing shellfish aquaculture licenses issued, and for each license, the report shall describe the licensed area; the total number of each kind of shellfish planted, produced, or marketed during the preceding year from the licensed area; and the yearly market value produced by each license.

- (6) The City Council may, by ordinance, revoke its delegation of authority to the New Bedford Port Authority regarding shellfish aquaculture licenses. Following such revocation, any existing shellfish aquaculture licenses shall be administered by the City Council pursuant to the terms established by the New Bedford Port Authority for such licenses until the expiration of such licenses.

Section 2.

This ordinance shall take effect in accordance with the provisions of Chapter 43 of the General Laws.