

**HOUSE . . . . . No. 904**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Danillo A. Sena***

*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 increased protection of wildlife management areas.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>1/20/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>1/31/2023</i>
<i>Margaret R. Scarsdale</i>	<i>1st Middlesex</i>	<i>2/9/2023</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/16/2023</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/23/2023</i>

**HOUSE . . . . . No. 904**

By Representative Sena of Acton, a petition (accompanied by bill, House, No. 904) of Danillo A. Sena and others relative to wildlife management areas. Environment and Natural Resources.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1002 OF 2021-2022.]

**The Commonwealth of Massachusetts**

In the One Hundred and Ninety-Third General Court  
(2023-2024)

An Act relative to increased protection of wildlife management areas.

*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 131 of the General Laws is hereby amended in Section 6 by  
2 inserting the following-

3 (4) The director shall identify, mark and inform the public regarding all existing  
4 designated reserve areas on the lands referred to as Wildlife Management Areas under its control  
5 as of the date of passage of this law.

6 (5) On or before January 1, 2030, the department shall designate a minimum of 30% of  
7 all Wildlife Management Area lands under its control as Wildlife Management Area Nature  
8 Reserves. Further designations shall be made as additional lands are acquired in order to  
9 maintain the minimum of 30% at all times.

10           The Council, pursuant to section 6(6) shall identify lands and waters as Nature Reserves  
11 in accordance with the following criteria, which include areas that: contain a significant  
12 proportion of trees that are very large, older than 100 years in age, or otherwise exceptional;  
13 encompass or build on large blocks of contiguous forest; contain forest interior habitats;  
14 encompass wetlands, riparian areas, or headwaters of streams; include Living Waters critical  
15 watersheds; provide connectivity with existing reserves and other core natural areas; include  
16 valley bottom land; have a high capacity for ongoing carbon capture and storage; contribute to  
17 the mitigation of climate change impacts; are representative of all ecoregions in the state; provide  
18 geographic redundancy to ensure against catastrophic disturbances; support viable rare or  
19 imperiled natural communities; have unique or unusual ecological significance; or have  
20 archeological or historical importance.

21           The Council may from time to time review these selection criteria to ensure they are  
22 consistent with available scientific evidence and always serve to enhance ecological protection  
23 and public welfare.

24           (6) The secretary of the Executive Office of Energy and Environmental Affairs shall  
25 appoint a “Wildlife Management Area Nature Reserves Council,” hereinafter referred to as the  
26 Council, to oversee the designation and management of the Nature Reserves, and to suggest  
27 additional acquisitions to enhance the ecological value of the Nature Reserve program as a  
28 whole. The Council shall consist of eight members, including: the director of the Division of  
29 Fisheries and Wildlife or a designee; two members of the Natural Heritage and Endangered  
30 Species Advisory Committee, appointed pursuant to Chapter 131 Section five B, who have  
31 technical training and experience, one in the field of plant ecology and one in the field of  
32 nongame wildlife and endangered species; one member from the Native Plant Trust or the Native

33 Tree Society; one member from the Woodwell Climate Research Center; one member who has  
34 technical training and experience in the field of soil or watershed science; and two members of  
35 the public with experience in natural area conservation.

36 The members of the council shall be reimbursed for their necessary expenses incurred in  
37 the performance of their duties. Each member shall be appointed for a term of three years, except  
38 that for the initial term, three members shall be appointed for one year, three members shall be  
39 appointed for two years and two members shall be appointed for three years. Any person  
40 appointed to fill a vacancy shall serve for the unexpired term. Any member shall be eligible for  
41 reappointment.

42 The council's duties shall include advising the division on policies and rules and  
43 regulations concerning nature reserves, consulting with the division regarding the nomination of  
44 potential Nature Reserves, assisting in the preparation of a plan for each Nature Reserve, and  
45 advising the division on budgetary matters related to such Nature Reserves. The council shall  
46 submit a biennial report to the governor on or before May first of such year, describing the  
47 condition of each Nature Reserve, outlining any actions taken by the council since the last report,  
48 and making any recommendations related to the Nature Reserve program which the council  
49 deems necessary.

50 (7) Wildlife Management Area Nature Reserves established in accordance with the  
51 provisions of this section shall be monitored and maintained as nearly as possible in its natural  
52 condition, and as defined in Chapter 31 section 1, and shall be used in a manner and under  
53 limitations consistent with its status as a Nature Reserve, without impairment or artificial  
54 development for the public purposes of present or future scientific research and education, and of

55 providing a habitat for plant and animal species, communities and other natural objects and for  
56 preservation of areas representative of the significant habitats and ecosystems of the  
57 commonwealth.

58 The division shall, after a determination that said parcel qualifies as a Wildlife  
59 Management Area Nature Reserve, hold a public hearing thereon in accordance with the  
60 provisions of Chapter 30A.

61 SECTION 2. Chapter 131 of the General Laws is hereby amended in Section 1 by  
62 inserting the following-

63 “Wildlife Management Area Nature Reserve,” an area permanently designated by  
64 Division of Fisheries and Wildlife that conserves intact ecosystems that are influenced primarily  
65 by natural processes. Management priorities will include: biodiversity maintenance, nutrient  
66 cycling and soil formation, long-term carbon sequestration, protection of late-successional and  
67 old growth forest habitats, and opportunities for wilderness recreation. The timber in these  
68 Nature Reserves shall not be sold, removed, or destroyed. Vegetation management shall be  
69 allowed in circumstances where historical and scientific data prove such action is necessary to:  
70 ensure public health and safety; provide fire protection and prevention; remove invasive species  
71 or pests; restore or protect habitats for rare or endangered species and exemplary or rare natural  
72 communities; control erosion and stabilize soils; maintain existing agricultural fields, vistas, and  
73 hiking trails; or meet other regulatory requirements. Creation of new fields, vistas, and wildlife  
74 openings is prohibited. The application of pesticides or herbicides shall not be permitted unless  
75 there is a clear threat to public health and safety, as determined by the Massachusetts Department  
76 of Public Health.