

SENATE No. 2242

The Commonwealth of Massachusetts

—————
In the Year Two Thousand Fourteen
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SENATE, July 3, 2014

The committee on Bonding, Capital Expenditures and State Assets, to whom was referred the House Bill providing for the preservation and improvement of land, parks and clean energy in the Commonwealth (House, No. 4150); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2242.

For the committee,
Brian A. Joyce

SENATE No. 2242

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

1 SECTION 1. To provide for a program of improvement and preservation of the energy
2 and environmental assets of the commonwealth, the sums set forth in this act, for the several
3 purposes and subject to the conditions specified in this act, are hereby made available, subject to
4 the provisions of law regulating the disbursement of public funds, which sums shall be in
5 addition to any other amounts previously appropriated for these purposes.

6 SECTION 2.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

Office of the Secretary.

7 2000-7053 For improvements and replacements to the infrastructure and holdings of the
8 executive office of energy and environmental affairs; provided, that these improvements or
9 replacements may include, but shall not be limited to, buildings, equipment, vehicles and
10 communication and technology equipment; and provided further, that any expenditures for
11 communication and technology equipment under this item shall be subject to the approval of the
12 chief information officer of the commonwealth..... \$10,000,000

13 2800-7029 For a grant program to assist and provide funding to conservation districts as
14 defined in sections 19 to 24, inclusive, of chapter 21 of the General Laws, to perform innovative
15 projects to conserve the soil, water and related natural resources of the commonwealth,
16 including, but not limited to, conservation education, demonstration projects, the
17 MassEnvirothon and other projects related water and soil conservation; provided, that the
18 program shall be administered by the director of the division of conservation services in the
19 executive office of energy and environmental affairs.....\$1,625,000

Department of Environmental Protection.

20 2200-7021 For investment in water and air quality protection as required to meet the
21 legislative and regulatory requirements of the Rivers Protection Act, the federal and state Clean
22 Water Acts and the commonwealth’s wetlands protection act and to provide for integrated
23 energy and environmental projects to optimize and preserve environmental quality and public
24 health and provide for appropriate protection, restoration, management and best use of air,
25 energy, water and land resources, assets and infrastructure; provided, that this funding may
26 include, but not be limited to, research and the collection of data to support investment in
27 environmental assets, such as research and studies to include but not be limited to studies of
28 water quality, the development of wetlands conservancy and tidelands geographic information
29 system maps, the implementation of water quality monitoring initiatives, the collection and
30 analysis of water quality samples and the development of water quality analyses known as total
31 maximum daily loads; the assessment of water quality health and impaired use of waterways;
32 projects related to non-point and point sources of water pollution; and wetlands circuit rider
33 program; provided further, that funds may be expended for local grants and research for
34 implementation of the commonwealth’s sustainable water management initiative, such grants

35 and research to provide the data necessary for municipalities to invest in efficient and effective
36 mitigation practice to restore and preserve the commonwealth's water resources, assets and
37 infrastructure; provided further, that funds may be expended for sustainable water management
38 initiative related research and implementation projects conducted by the department of fish and
39 game and its divisions; and for a program to provide for the registration of persons engaged in
40 the business of drilling or digging wells and assuring adherence to professional standards in well
41 construction to protect ground water resources, to include, technical assistance to boards of
42 health and the regulated community and the ongoing education to well drillers and others, and
43 coordination with the office of the state geologist and for associated costs; provided further, that
44 funds authorized in this item may be used for the purposes of the department's statewide air
45 monitoring network which may include, but not be limited to, photochemical assessment
46 monitoring stations, small particulate monitoring and air toxins monitoring; provided further,
47 that the commonwealth shall match, on a 1:1 basis, the construction costs of a department of
48 environmental protection-mandated water treatment plant for the towns of Randolph, Braintree,
49 and Holbrook; and provided further, that funds authorized in this line may include the upgrade of
50 equipment to comply with federal requirements; provided further, that \$4,000,000 shall be
51 expended for the purposes of evaluating the efficacy of adaptive management measures to reduce
52 nitrogen pollution of coastal waterways undertaken pursuant to an approved area-wide water
53 quality plan adopted pursuant to the federal Clean Water Act and to monitor the water quality of
54 areas subject to said study and further to support further assessment and water quality modeling
55 to further refine said study; provided further, that \$10,000,000 shall be expended to clean up the
56 Connecticut River that runs through several municipalities so that the river may be in accordance
57 with the federal Clean Water Act; provided further, that \$7,000,000 shall be expended as a

58 matching grant for the reconstruction of the Whitla drive sewer pumping station in the city of
59 Worcester, and for related improvements to reroute, extend, and expand the capacity of the sewer
60 system in the Route 20 corridor in said city and the town of Millbury, and to connect said
61 extension with the existing regional wastewater treatment facility, including, without limitation,
62 the cost of engineering and design, to protect public health and reduce the existing threat of
63 sewerage overflow discharge into Lake Quinsigamond and the Broodmeadow Brook Wildlife
64 Sanctuary; provided further, that \$5,100,000 shall be expended for the construction of a sludge
65 landfill and for related improvements to said landfill at the wastewater treatment facility located
66 in the city of Attleboro; provided further, that funds shall be expended for the purchase and
67 installation of filters for the removal of manganese and iron from water in the town of Sharon;
68 provided further, that \$500,000 shall be expended for the construction of a new salt storage shed
69 at the Norwell Highway Department to protect the quality of water in the town of Norwell;
70 provided further that \$20,000,000 shall be expended to begin contaminated sediment remediation
71 and address fish passage in the Neponset River in the area of the Baker Dam and the Tileston and
72 Hollingsworth Dam, provided that the department of environmental protection shall vigorously
73 continue its investigation to identify the responsible parties for the pollution, and shall
74 collaborate with the attorney general to recover these funds from the responsible parties;
75 provided further, that \$350,000 shall be expended to construct stormwater improvements to
76 improve the quality of water entering the Little River and Westfield River in the area of Mainline
77 Drive and Route 20 in Westfield; provided further, that \$600,000 shall be expended for
78 engineering, planning, construction, and related infrastructure for stormwater drainage
79 management at Barnes Regional Airport; provided further, that \$350,000 shall be expended for
80 the replacement of the Department of Public Works facility fueling station underground storage

81 tanks in the town of Millbury; and provided further, that \$2,500,000 shall be expended for water
82 and sewer improvements in the town of Wayland.....\$61,000,000

Department of Fish and Game.

83 2300-7021 For enhancements, improvements, removal and replacements to the
84 infrastructure and holdings of the department of fish and game and its divisions; and for the costs
85 of studies, plans, engineering and other services essential to this activity; and for the planning,
86 design, construction and repair of existing and new facilities under the care and control of the
87 department of fish and game and its divisions, including, but not limited to: education centers,
88 district headquarters, hatcheries, office buildings, storage buildings, shooting ranges, dams and
89 laboratories; provided, that these enhancements, improvements and replacements may include,
90 but shall not be limited to, buildings and other structures, equipment, vehicles, vessels,
91 information systems and site clearance, including the demolition of structures, and other holdings
92 including remediation of environmental compliance matters throughout the
93 commonwealth.....\$4,500,000

94 2300-7027 For the purposes of fresh water aquatic fisheries restoration to include
95 establishing benchmarks to identify and target the conservation natural fisheries communities,
96 establishing protection goals for high quality fish communities, and the execution of fisheries
97 habitat restoration projects on natural fish communities as identified by the division of fisheries
98 and wildlife after taking into account the current Massachusetts Wildlife Action Plan, and for
99 other related costs to include, but not limited to, any required fish and habitat research and
100 mapping, management, monitoring and equipment; provided, that said projects may be carried
101 out in cooperation with not-for profit organizations or agencies; and provided further, that

102 expenditures from this item shall be subject to approval by the commissioner of the department
103 of fish and game.....\$4,000,000

104 2300-7028 For the purposes of marine fisheries restoration, support of local commercial
105 and recreational fisheries, development of best marine fisheries science to guide management
106 decisions, preparation of technical guidance and fisheries management plans, as approved by the
107 director of the division of marine fisheries and the commissioner of the department of fish and
108 game, and for related costs to include, without limitation, fish and habitat research and mapping,
109 restoration, management, monitoring, data collection, technical assistance management studies
110 and equipment; and provided further, that \$2,000,000 shall be expended for the purpose of
111 conducting a fishing capacity reduction program for the northeast multispecies
112 fishery.....\$4,000,000

Department of Conservation and Recreation.

113 2000-7035 For the design, construction, reconstruction, rehabilitation, repair or removal
114 of state-owned dams for which emergency action is required, and for inland-flood control
115 projects on state-owned land, and any related facilities and equipment; provided, that the
116 department of conservation and recreation shall give priority to dams and flood control projects
117 which pose the greatest risk to public health or safety, the environment, or is included in this
118 item, subject to applicable law and regulation; and for a program of planning, permitting and
119 construction of fish ways and other aquatic habitat improvements, including the removal or
120 breaching of selected dams and impoundments on state-owned land and
121 waterways.....\$15,000,000

122 2800-7032 For natural resource restoration and protection and to ensure compliance with
123 storm water management and the federal Clean Water Act, including enhanced environmental
124 compliance with laws and regulations, and improvements, and costs associated with site
125 assessment, containment, clean-up, control, removal of, or response actions concerning
126 hazardous materials or substances at forests, parks, reservations and other properties of the
127 department of conservation and recreation.....\$24,000,000

128 2800-7107 For the design, construction, reconstruction, improvement or rehabilitation of
129 department or navigable coastal and inland waterways projects, including, but not limited to,
130 coastal protection, structures, dredging, river and stream cleaning, coastal structure maintenance,
131 piers, dune stabilization, culvert repair, re-nourishment, erosion control, waterfront access and
132 transportation improvements and related facilities and equipment; provided further, that
133 \$2,500,000 shall be expended for the restoration of the beach area located between the east bank
134 of the Nashua River and Boylston Street in the town of Clinton; provided further, that funds shall
135 be expended to improve the water quality and sedimentation quality and river health of the
136 Charles River to include sediment mitigation in accordance with the Clean Charles River
137 Initiative; provided further, that \$8,775,000 shall be expended for the design and construction of
138 phase 1 of the Hoosic River Restoration Project in the city of North Adams; provided further,
139 that \$500,000 shall be expended to improve the water outflow of Blacks Creek at Wollaston
140 Beach in the city of Quincy as relating to flood control of Blacks Creek and adjoining Furnace
141 Brook in said city; provided further, that \$3,000,000 shall be expended to improve public access
142 to the Merrimack River in the City of Haverhill; provided further, that \$500,000 shall be
143 expended to allow the Town of Arlington to fulfill a matching grant requirement from the
144 Federal Emergency Management Agency to implement major flooding mitigation measures

145 along Mill Brook; provided further, that \$1,975,000 shall be expended for the Vegetation
146 Management Plan at Whitman’s Pond in the Town of Weymouth; provided further, that no less
147 than \$1,000,000 shall be expended for the creation of a flood management feasibility study for
148 the Saugus River for the town of Wakefield; provided further, that \$4,000,000 shall be expended
149 for the repair and maintenance of the Godfrey Brook in the town of Milford; and provided
150 further, that \$10,000,000 shall be expended for the preservation of historical naval vessels
151 berthed in Battleship Cove in Fall River
152 \$50,000,000

153 2800-7108 For the purpose of all non-federal costs associated with the dredging and the
154 disposal of dredged materials from the commonwealth’s coastal public harbors channels,
155 anchorages and waterways, and publicly-owned berths within designated port areas and approach
156 channels thereto, and other public tidewaters, non-tidewaters, tidal flats and waterways as set
157 forth in section 10 of chapter 91 of the General Laws, collectively referred hereinafter as
158 “designated port area dredging projects”, including, but not limited to, maintenance dredging
159 projects as defined under 310 CMR 9.00 and maintenance dredging projects with a subsidiary
160 improvement dredging component; provided that the department shall recommend the allocation
161 and priority of funding for designated port area dredging projects based upon a designated port
162 area dredging plan and consisting of those projects that are qualified by (i) having received all
163 applicable dredging permits and other required environmental approvals, and (ii) demonstrating
164 the availability of other funding or written commitments for such other funding or financial
165 assistance necessary to complete the project; provided further, that the department may
166 recommend funds be allocated sooner when in an emergency it finds that certain designated port
167 area dredging projects should be undertaken prior to the completion of the designated port area

168 dredging plan, if the project is otherwise qualified; provided further, that a portion of the funds
169 authorized under this item may be used for the proper disposal of dredged materials as
170 determined necessary through the course of environmental review and related expenses to
171 mitigate any adverse environmental impacts; provided further, that such funds may be used for
172 any associated costs as related to this item to include, without limitation, design, engineering
173 inspections, audits and legal services; provided further, that grants for coastal dredging projects
174 may be made to cities and towns...\$20,000,000

175 2800-7027 For the acquisition of land and interests in land by the department of
176 conservation and recreation and for associated costs, including planning, study, due diligence,
177 title and appraisal services, site restoration, and stewardship; provided, that funds may be used
178 for development and implementation of a stewardship program on lands under the care and
179 control of the department, including, but not limited to, resource and land use monitoring,
180 signage, boundary delineation and monitoring, preparation of baseline documentation,
181 stewardship planning, ecological monitoring and enforcement of conservation restrictions or
182 detection and resolution of encroachments on land owned in fee simple, and repair of damage to
183 property related to illegal uses, including off-road vehicle trespass; and provided further, that
184 funds may be used for inventory, restoration and reclamation of recently acquired land, including
185 demolition of structures, removal of debris, eradication of non-native species, and other services
186 essential to these reclamation efforts; and provided further that \$5,000,000 shall be expended for
187 land acquisition at parcel ID C 53 1A in the town of Milton and a study of the feasibility, design
188 and construction of a park and canoe launch located at the aforementioned property; and
189 provided further, that \$10,000,000 shall be expended for the restoration of and construction of
190 improvements to Fort Taber and Fort Rodman at Clark's Cove in the city of New Bedford

191 including expansion of the Fort Taber and Fort Rodman Military Museum
192\$50,000,000

193 2840-7027 For the design, construction, reconstruction, repair, improvement or
194 rehabilitation of flood control facilities and water resource protection related facilities of the
195 department of conservation and recreation, including its various pump stations and
196 structures.....\$10,000,000

197 2800-7031 For the protection and rehabilitation of the lakes, ponds, rivers and streams
198 and associated watersheds, including, but not limited to, assistance and grant programs under
199 sections 37A to 37D, inclusive, of chapter 21 of the General Laws; provided, that such programs
200 shall include, without limitation, technical assistance, studies, preservation, environmental
201 improvements, to include the removal of aquatic invasive plants and associated costs; and
202 provided further, that \$5,000,000 shall be expended for the preservation of and improvements to
203 the Birch Road well field in Framingham.....\$10,000,000

Department of Energy Resources.

204 9300-7030 For the Leading by Example Program, to reduce greenhouse gas emissions
205 and other environmental impacts at state agencies and authorities, and public colleges and
206 universities; to stimulate increased public and private sector investment in clean energy and
207 related enterprises, institutions and projects in the commonwealth, including providing economic
208 assistance for the development of these enterprises and non-financial
209 assistance.....\$5,000,000

210 9300-7919 For the energy conservation improvement program established by section 11
211 of chapter 25A of the General Laws; provided, that funds in this item shall be allocated from

212 time to time by the commissioner of energy resources for the purposes of: (i) the energy audit
213 program; (ii) the energy conservation improvement program; (iii) the alternative energy property
214 program; and (iv) for other programs that increase energy efficiency; provided further, that when
215 expending these funds, the commissioner shall take into consideration, among other relevant
216 factors, the amount of available state and federal financial resources, the needs of each program
217 with respect to public buildings and facilities, the volume of requests or expected requests from
218 other entities for assistance under each program, the expected costs and public benefits of each
219 program and, after information has become available from the energy audit program, the
220 priorities and needs indicated by that information; provided further, that funds shall be expended
221 on the buildings and facilities owned by public entities; and provided further, that grants may be
222 issued for the purposes of this item.....\$10,000,000

223 SECTION 2A.

OFFICE OF THE TREASURER

Office of the Treasurer.

224 0620-1001 For the water pollution abatement trust established in section 2 of chapter
225 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund
226 established in section 2L of chapter 29 of the General Laws for application by the trust to the
227 purposes specified in section 5 of said chapter 29C, any portion of which may be used as a
228 matching grant by the commonwealth to federal capitalization grants received under Title VI of
229 the federal Clean Water Act or for deposit in the Drinking Water Revolving Fund established in
230 section 2QQ of chapter 29 of the General Laws for application by the trust to the purposes
231 specified in section 18 of said chapter 29C, any portion of which may be used as a matching

232 grant by the commonwealth to federal capitalization grants received under the federal Safe
233 Drinking Water Act; provided, that funds may be used to assist homeowners in complying with
234 the revised state environmental code for subsurface disposal of sanitary waste, Title 5
235\$57,000,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary.

236 1100-2511 For a matching grant program for the repair, construction and modernization
237 of equipment and capital improvements of marine industrial infrastructure located in designated
238 port areas or maritime industrial zones; provided, that the secretary of administration and finance
239 shall make available the funds under this item to the Massachusetts Development Finance
240 Agency to administer such a grant program; and, provided further, that each grant shall require a
241 private funding match in an amount not to exceed 25 per cent of the cost of the
242 project.....\$5,000,000

243 1100-2530 To capitalize the Massachusetts Water Technology Innovation Trust Fund
244 established in section 9A of chapter 23J, within the Clean Energy Technology Center; provided
245 that, not less than \$30,000,000 shall be expended for the creation and operation of testing and
246 piloting facilities for the advancement of water technology\$50,000,000

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

Office of the Secretary.

247 2000-7028 For the design, construction, reconstruction, rehabilitation, repair or removal
248 of municipally-owned dams, other publicly-owned dams and other dams for which emergency

249 action is required, and for inland-flood control projects on publicly-owned land, and any related
250 facilities and equipment; provided, that the secretary of energy and environmental affairs shall
251 give priority to dams and flood control projects which pose the greatest risk to public health or
252 safety, the environment, or is included in this item, subject to applicable law and regulation; and
253 for a program of planning, permitting and construction of fish ways and other aquatic habitat
254 improvements, including the removal or breaching of selected dams and impoundments on
255 publicly-owned land and waterways; provided further, that \$375,000 shall be expended for
256 engineering, improvements and repairs to the McTaggarts Pond Dam in the city of Fitchburg;
257 provided further, that \$75,000 shall be expended for investigation, engineering and repairs, to
258 prevent seepage and improve dam safety to the Mirror Lake Dam at Coggs Hall Park in the city of
259 Fitchburg; provided further, that \$100,000 shall be expended for improvements and repairs to the
260 Studley Pond Dam in the town of Rockland; provided further, that \$7,200,000 shall be expended
261 for the rehabilitation and improvements to the Mill Pond Dam in the town of Wareham; and
262 provided further, that \$250,000 shall be expended for maintenance and improvements at
263 Bearhole Reservoir in the town of West Springfield.....\$15,000,000

264 2000-7031 To capitalize the Climate Change Adaptation Infrastructure Investment Fund
265 as established by section 2LLLL of chapter 29 of the General Laws.....\$10,000,000

266 2000-7054 For the parkland acquisition and renovation for communities grant program,
267 formerly the urban self-help program, to provide assistance to cities and towns in the acquisition
268 of land, assessment and remediation of brownfield and greyfield sites and demolition on project
269 sites and construction and restoration of parks and recreation areas pursuant to the provisions of
270 Article 97 of the Amendments to the Constitution and any regulations adopted by the secretary
271 of energy and environmental affairs; provided, that notwithstanding any general or special law to

272 the contrary, the title to any land acquired with the funds authorized in this item which is no
273 longer used as open space shall revert to the commonwealth to be managed as open
274 space.....\$30,000,000

275 2000-7056 For the conservation partnership grant program to assist not-for-profit
276 corporations and conservation districts defined in sections 19 to 24, inclusive, of chapter 21 of
277 the General Laws, in acquiring interests in lands suitable for purposes of conservation or
278 recreation; provided, that the corporation shall be formed for one of the purposes described in
279 section 4 of chapter 180 of the General Laws and the corporation shall be considered an exempt
280 organization within the meaning of section 501(c)(3) of the Internal Revenue Code; provided
281 further, that grant funds shall be expended to reimburse an eligible corporation or conservation
282 district for money expended by it in establishing a project approved by the secretary of energy
283 and environmental affairs under this program in an amount that the secretary shall determine to
284 be equitable in consideration of anticipated benefits from the project, but in no event shall the
285 amount of the reimbursement exceed 50 per cent of the cost of the project; provided, however,
286 that no reimbursement shall be made under this item to a corporation or conservation district
287 unless a project application is filed by the corporation with the secretary setting forth the plans
288 and information that the secretary may require and approved by the secretary, nor until the
289 corporation or conservation district shall have certified, in a manner approved by the secretary,
290 its ability to provide an amount equal to the total cost of the project, nor until the project has
291 been completed, to the satisfaction of the secretary, in accordance with the approved plans;
292 provided further, that all projects shall include the grant by the corporation or conservation
293 district of an appropriate perpetual conservation restriction, within the meaning of sections 31
294 and 32 of chapter 184 of the General Laws, to the city or town in which the project is located, to

295 be managed by either its conservation or its recreation commission, or a federal or state agency,
296 or a not-for-profit corporation, or combination of these entities; provided further, that all projects
297 shall provide appropriate public access as determined by the secretary; and provided further, that
298 the secretary may adopt rules and regulations to carry out this
299 item.....\$8,000,000

300 2000-7058 For the landscape partnership grant program to assist not-for-profit
301 corporations and cities and towns acting through their conservation commissions or water
302 departments, in cooperation with the departments of conservation and recreation, fish and game
303 and agricultural resources, to acquire interests in land to permanently conserve and steward
304 large, landscape-scale land conservation projects, and to assist cities and towns in local zoning
305 and planning efforts; to further conservation and connectivity of working farms, forests and open
306 space and prevent low-density sprawl development; provided, that the not-for-profit corporation
307 shall be formed for 1 of the purposes described in section 4 of chapter 180 of the General Laws
308 and the corporation shall be considered an exempt organization within the meaning of section
309 501(c)(3) of the Internal Revenue Code; provided further, that the grants shall be expended in the
310 completion of an approved project by an eligible corporation, city or town in the approved
311 acquisition of land and interests in land for permanent conservation purposes pursuant to the
312 provisions of Article 97 of the Amendments to the Constitution or sections 31 and 32 of chapter
313 184 of the General Laws and for associated costs, including planning, study, due diligence, title,
314 environmental site assessment, appraisal services, interest on loans, provided the rate does not
315 exceed the current average market rate, and site restoration and for stewardship, including
316 baseline documentation report creation and long-term stewardship monitoring agreements and
317 for technical assistance in the development of city and town by-laws for natural resource

318 protection zoning purposes and related city and town conservation purposes and for study,
319 inventory and related work in preparation for and assessment of marketable ecosystem services
320 provided by the project lands; provided further, that grant funds shall be expended in the
321 completion of an approved project by an eligible corporation, city or town for a project
322 previously approved by the secretary of energy and environmental affairs under this program in
323 an amount that the secretary shall determine to be equitable in consideration of anticipated
324 benefits from the cost of the project, but in no event shall the amount exceed 50 per cent of the
325 total cost of the project as approved by the secretary; provided further, that all projects shall
326 provide appropriate public access as determined by the secretary; provided further, that \$50,000
327 shall be expended to allow the town of Arlington to purchase electric landscaping tools; provided
328 further, that \$250,000 shall be expended for landscaping and aesthetic improvements at the M.
329 Joseph Manning Park; provided further, that \$250,000 shall be expended for landscape and
330 aesthetic improvements at the Borderland State Park; provided further, that \$1,000,000 shall be
331 expended for landscape and aesthetic improvements along the Neponset River Greenway; and
332 provided further, that \$600,000 shall be expended to support the construction of walking paths,
333 native buffer area plantings and community landscape gardens/rain gardens at the new
334 community recreational facility in the town of Wilmington

335\$15,000,000

336 2000-7063 For the development of a statewide climate center by the secretary of energy
337 and environmental affairs in conjunction with the president of the University of Massachusetts;
338 provided, that not more than \$5,000,000 shall be expended for the development of a Strategic
339 Framework for Climate Resilience (“SFCR”) program by public and private institutions to study,
340 develop and promote cross-sectoral resilience planning for the commonwealth as relating to

341 climate change, including, but not limited to: the development of information products for
342 municipalities and the private sector; a capacity needs assessment for effective involvement of
343 municipalities in SFCR; approaches for incentivizing and monetizing climate change resilience;
344 integration strategies for building resilience through support of new private sector efforts; a
345 strategic program for climate resilience design in priority sectors and regions; sensitivity
346 vulnerability and adaptation assessments of initial key sectors and municipalities; a cross-
347 sectoral guideline and best practice manual to integrate climate change factors into
348 organizational planning; and, a strategic-level set of consistent, reliable and justifiable scientific
349 scenarios of key projected climate change impacts, and capacity-building within and across
350 sectors; provided, however, that the statewide climate change center shall collaborate with the
351 Blue Hills Observatory

352\$20,000,000

353 2000-7066 For the local acquisition for natural diversity grant program, formerly the
354 self-help program, to provide assistance to cities and towns in the acquisition of conservation
355 land pursuant to the provisions of section 11 of chapter 132A of the General Laws, Article 97 of
356 the Amendments to the Constitution and any regulations adopted by the secretary of energy and
357 environmental affairs to effect this act or said section 11; provided, that notwithstanding any
358 general or special law to the contrary, the title to any land acquired with funds authorized in this
359 item which is no longer used under said section 11 as open space shall revert to the
360 commonwealth to be managed as open space\$8,000,000

361 2000-7070 For the development and support of a regional comprehensive climate
362 change adaptation management plan grant program consisting of financial assistance to regional
363 planning agencies to develop and implement comprehensive adaptation management plans at the

364 regional level of government; and such plans shall include, but not be limited to: technical
365 planning guidance for adaptive municipalities through a step-by-step process for regional climate
366 vulnerability assessment and adaptation strategy development; development of definition of
367 regional impacts by supporting municipalities conducting climate vulnerability assessments; and
368 development of understanding regional characteristics, including regional environmental and
369 socioeconomic characteristics; provided, that such grants shall advance statewide, regional and
370 local efforts to adapt land-use, zoning, infrastructure, policies, and programs to reduce the
371 vulnerability of the built and natural environment to changing environmental conditions as a
372 result of climate change; and provided further, that the secretary of energy and environmental
373 affairs may issue grants to regional planning agencies to implement said
374 programs.....\$20,000,000

375 2800-7135 To assist the city of Everett in land acquisition and environmental remediation
376 at the former Monsanto Chemical Company site in the city of Everett, if that property is not
377 purchased by June 1, 2015 and developed by a private entity; provided further that any
378 disposition of the property shall be subject to the review and approval of the inspector general;
379 provided that the department of environmental protection shall use best efforts to investigate and
380 identify the responsible parties for the pollution, and shall collaborate with the attorney general
381 to recover these funds from the responsible parties.....\$35,000,000

Department of Agricultural Resources.

382 2500-7011 For a program to acquire agricultural preservation restrictions hereinafter
383 referred to as APR under sections 23 to 26, inclusive, of chapter 20 of the General Laws;
384 provided, that any person or entity that receives funds from this item shall be encouraged to

385 participate in any programs of the department of agricultural resources that may be suggested by
386 the commissioner of agricultural resources; and provided further, that funds may be used for the
387 implementation of a stewardship program on APR lands including, but not limited to, resource
388 and land use monitoring, boundary delineation and monitoring, stewardship planning, ecological
389 monitoring and enforcement of agricultural preservation restrictions on existing and newly
390 acquired APR properties, as well as the creation of new opportunities that seek to enhance the
391 sustainability and viability of APR properties.....\$10,000,000

392 2500-7024 For the agricultural environmental enhancement program on the abatement
393 of all forms of pollution generated from agricultural activities originally funded under section 8
394 of chapter 258 of the acts of 1996; provided, that funds may be allocated by the commissioner of
395 agricultural resources through competitive grants awarded to public and non-public entities to
396 carry out the purposes of this item; provided further, that \$120,000 shall be expended for costs
397 related to pesticide cleanup on South Street in the town of Wrentham.....\$1,500,000

DEPARTMENT OF TRANSPORTATION

Office of the Secretary.

398 1100-2510 For improvements to coastal facilities in designated and non-designated port
399 areas, including those defined in chapter 21F of the General Laws, 301 CMR 25, section 63 of
400 chapter 91 of the General Laws and 312 CMR 2.00; provided, that improvements may include,
401 but shall not be limited to, construction, reconstruction, rehabilitation, expanding, replacing and
402 improving public facilities, piers, wharves, boardwalks, berths, bulkheads and other harbor and
403 waterfront facilities; and provided further, that funds shall be expended on capital improvements
404 to the state pier facility in the city of Fall River, including, but not limited to, the construction of

405 the south basin of the state pier facility, the rehabilitation and replacement of all marine
406 structures for Battleship Cove in the port of Fall River, commercial fishing improvements,
407 commercial marine transportation improvements and other capital improvements related to
408 economic development within the port of Fall River\$125,000,000

409 6720-1335 For the mitigation or contribution towards any costs associated with or
410 arising out of the federal improvement dredging of Boston Harbor; provided further, that
411 \$35,000,000 shall be expended to mitigate or contribute towards any costs associated with or
412 arising out of the federal navigational and berth dredging in New Bedford Harbor; and provided
413 further that funds shall be expended to mitigate or contribute towards any costs associated with
414 the dredging of the Neponset River from Milton Landing to Boston
415 Harbor.....\$100,000,000

EXECUTIVE OFFICE OF EDUCATION

416 7100-3000 For the design, rehabilitation or construction of a research and extension
417 building of approximately 20,000 square feet, at the University of Massachusetts Center for
418 Urban Sustainability in the city of Waltham for the purpose to conduct research and advance
419 urban sustainable agriculture through public- private partnerships, to include, without limitation,
420 urban agricultural issues related to food security, safety and access, environmental stewardship
421 and workforce development; provided, however, that best efforts shall be made to construct a
422 zero-net energy building.....\$20,000,000

423 7100-3001 For technology and space upgrades at the Stockbridge School of Agriculture
424 at the University of Massachusetts, Amherst in the town of Amherst; for the coordination among

425 agricultural schools and institutes of learning in the commonwealth to educate and promote
426 sustainable agriculture and related agricultural issues\$5,000,000

427 7100-1135 For establishing an office and programming under the direction of the
428 president of the university of Massachusetts, in consultation with the secretary of energy and
429 environmental affairs, to work with municipalities, regional governments, and the private sector
430 to assess, plan, coordinate, and support the implementation of resiliency measures; provided, that
431 work may include, but not be limited to: (i) public education and engagement; (ii) technical
432 assistance, training, research, and formulation of metrics, and (iii) preparing and disseminating
433 guidelines, manuals and other products to assist in the in the preparation, planning design, and
434 implementation of resiliency measures.....\$5,000,000

435 SECTION 2B.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

Office of the Secretary.

436 2000-7051 For the development and support of local, regional and state land use
437 planning and management capabilities in support of smart growth efforts, including, but not
438 limited to: convening the public to enhance awareness of and participation in planning,
439 regulatory and permitting decisions; research; land use data acquisition and analysis; site specific
440 brownfields, feasibility, reuse and other assessments; plans for water, sewer, road, transit and
441 other infrastructure investments; site specific land use plans including construction documents
442 and architectural blueprints; the development of municipal open space and recreation plans,
443 municipal master plans under section 81D of chapter 41 of the General Laws, regional policy
444 plans under chapter 40B of the General Laws, and state plans for land conservation and

445 development; subdivision, zoning, and other local, regional or state land use bylaws, ordinances,
446 policies, guidelines and regulations; and for outreach, communications, education and planning
447 to advance environmental equity, smart growth and the commonwealth's sustainable
448 development principles; provided, that the secretary of energy and environmental affairs may
449 issue grants to organizations, including, but not limited to, municipalities, regional planning
450 agencies, non-profit organizations, and other public and non-public entities to implement said
451 programs; provided further, that \$1,000,000 shall be expended for the improvement and
452 preservation of the parcel of land located at 900 Worcester Street in the town of Wellesley,
453 otherwise known as St. James the Great Church, to maximize recreational use while preserving
454 open space; and provided further, that \$500,000 shall be expended for urban renewal in the town
455 of Gardner\$10,000,000

456 2000-7052 For the purpose of protecting the ecological integrity of the commonwealth's
457 privately held and managed forestlands under the forest vision plan, including, but not limited to,
458 acquisition of interests in land, research, planning and monitoring; provided, that projects and
459 funding shall be approved by the secretary of environmental affairs; and provided further, that
460 projects may be carried out in cooperation with other governmental agencies, private land
461 owners and conservation organizations according to management agreements approved by the
462 secretary.....\$5,000,000

463 2000-7055 For integrated energy and environmental projects to provide for appropriate
464 conservation, protection, restoration, management, and best use of air, energy, water and land
465 resources; to provide for the propagation, protection, control and management of fish, other
466 aquatic life, wildlife and endangered species, to optimize and preserve environmental quality and
467 public health, to encourage environmental equity; to provide for the assessment, prevention and

468 abatement of water, land, air, noise and other pollution or environmental degradation, to provide
469 for assessment and mitigation and adaptation to climate change and regional flooding, to provide
470 geographic information systems and data, including, but not limited to, conservation and
471 development plans, provided through the office of geographic and environmental information, to
472 collect, store and provide geographic, energy and environmental and other information, to
473 provide environmental, land use, water budgets and other trends and conditions; provided, that
474 the secretary may allocate funds for the purposes of this item; and provided further, that grants
475 may be awarded to public or non-public entities to carry out this
476 item.....\$15,000,000

477 2000-7057 For the acquisition, development, construction and improvement of parks in
478 urban and suburban neighborhoods currently underserved with parks consistent with attainment
479 of environmental equity, including planning related to these parks; completion of urban forestry
480 and tree planting projects, assessment and remediation of brownfield and greyfield sites intended
481 for reuse as parks, drafting of architectural renderings, construction documents, and other
482 technical documents necessary for parks construction, acquisition of land or interests in land for
483 the creation of parks pursuant to the provisions of Article 97 of the Amendments to the
484 Constitution, and for the construction, rehabilitation and improvement of parks including, but not
485 limited to, all related facilities, landscaping, monuments and features, parking areas and
486 roadways; provided, that the secretary of energy and environmental affairs may issue grants to
487 public and non-public entities to implement these projects; provided, however, that the John L.
488 Kelly Field in the town of Milton shall be the first signature park constructed with the use of
489 these funds; provided further, that \$3,000,000 shall be expended to build or upgrade Camp
490 STAR Angelina Administration Lodge, Forest Park Comfort Shelter/Drop-in Center, improve

491 Forest Park Roadways, repair and upgrade Forest Park Erosion, and Blunt Park Roadway
492 Improvements in the city of Springfield; and provided further, that funds shall be expended for
493 environmental remediation and construction of the Worcester Blackstone Gateway Visitor
494 Center and Park in the city of
495 Worcester.....\$80,000,000

496 2000-7060 For the acquisition of land for the purposes of open space, recreation and
497 conservation, to be protected pursuant to the provisions of Article 97 of the Amendments to the
498 Constitution, which lands are located, near or adjacent to the mean high water mark of coastal
499 areas, on coastal barrier beaches or in coastal high risk flooding zones, which lands or structures
500 thereon, suffer repeated damage by flooding or are otherwise impacted catastrophically by severe
501 weather events, and, additionally, pose a high risk to public health or safety, or to the
502 environment; and, to purchase adjoining coastal parcels next to such acquired land which is
503 necessary to protect the environment; provided, however, that funds from this item shall not be
504 used to compensate land owners for lands taken by eminent
505 domain.....\$20,000,000

506 2000-7061 For the purpose of a forestry and tree planting greening program for projects
507 throughout the commonwealth on publicly-owned land, to include, without limitation, the
508 evaluation and planning of forestry and tree greening projects, tree stock and planting, and the
509 care and protection of trees and forests; provided, the secretary shall give priority to the planting
510 of trees in areas devastated by catastrophic weather events or wide-spread insect infestation or in
511 area locations of aquifers, recharge areas, wells, reservoirs and other water bodies that will
512 improve water quality as part of a natural ecosystem; provided further, that the secretary shall
513 issue grants to cities and towns to achieve the purposes of this item; and provided further that

514 executive office of environmental affairs shall obtain tree stock from within the commonwealth
515 where feasible and where the cost does not exceed 10 per cent more than tree stock obtained
516 from outside the state.....\$50,000,000

517 2000-7062 For the improvement of recreational opportunities, protection of the
518 ecological integrity and for limiting eutrophication in the commonwealth’s lakes and ponds
519 including, but not limited to, restoration of water depths, enhancement of fisheries habitat,
520 control of nutrients, control of aquatic vegetation and associated water quality problems; that
521 funds may be expended from this item for the costs of planning, feasibility analysis, engineering,
522 design, permitting, construction and construction inspection and performance of dredging
523 projects, including material management; provided, however, that priority funding shall be
524 available for the construction of designed and permitted dredge projects and for any dredging
525 projects authorized specifically under this item; and provided further, that the secretary of energy
526 and environmental affairs may award grants to public and non-public entities including
527 municipalities, non-profit organizations and lake and pond associations to carry out the purpose
528 of this item; provided further, that \$100,000 shall be expended to protect and preserve the water
529 quality in Hammond Pond in the city of Newton, to include, without limitation, the stabilization
530 of pond banks by drainage modifications and improvements, vegetation enhancements,
531 macrobptic weed removal and enhancing existing gardens and natural buffers; provided further,
532 that \$1,100,000 shall be expended as a grant to the city of Pittsfield to improve drainage and
533 redirect run-off to vernal pools and wetlands as part of the completion of the multi-purpose turf
534 facility at Berkshire Community College’s Pittsfield campus; provided that, \$125,000 shall be
535 expended for the final phase restoration of Baker’s pond at Kennedy Park in the town of Lenox;
536 and provided further, that \$3,000,000 shall be expended for improvements to the Veterans

537 Road/Lewis Lake watershed system in the town of
538 Winthrop.....\$25,000,000

Department of Environmental Protection

539 2200-7023 For the purposes of discovery, assessment, containment, clean-up, and
540 closure of existing or closed solid waste facilities causing or threatening to cause pollution as
541 authorized by section 4 of chapter 21H of the General Laws; funds authorized in this item may
542 also be used for capital expenditure associated with composting and recycling program
543 consistent with the comprehensive statewide solid waste master plan authorized by section 21 of
544 chapter 16 of the General Laws; and provided further, that \$1,700,000 shall be expended for the
545 cleanup of a parcel of land near the Salem Transfer Station in the city of
546 Salem.....\$3,000,000

547 2200-7025 For the assessment, containment, cleanup, control, removal of or response
548 actions concerning oil or hazardous materials or for any other actions necessary to implement
549 chapter 21E of the General Laws, or the regulations adopted under it, the commonwealth's
550 contingency plan.....\$3,000,000

Department of Fish and Game.

551 2300-7020 For the acquisition of land and interests in land by the department of fish and
552 game and for associated costs, including planning, study, due diligence, title and appraisal
553 services, site restoration and stewardship for the purpose of protecting the native flora and fauna
554 communities and for associated costs; provided, that the commissioner of fish and game may
555 develop and utilize scientifically-based evaluation criteria to identify and select the most
556 biologically significant areas throughout the commonwealth, including, but not limited to,

557 specific parcels, and that these lands may be purchased after being selected by this process and
558 approved by the commissioner of fish and game; provided further, that funds may be expended
559 on the development and implementation of a stewardship program on lands under the care and
560 control of the department of fish and game and its divisions, either in fee simple or through
561 conservation easement or conservation restrictions, including, but not limited to, resource and
562 land use monitoring, baseline documentation report creation, signage, boundary marking and
563 monitoring, stewardship planning, stewardship personnel, stewardship database development,
564 ecological monitoring, and enforcement of conservation easements or conservation restrictions
565 or detection and resolution of encroachments on land owned in fee simple, and repair of damage
566 related to illegal off-road vehicle trespass; provided further, that funds may be used for
567 inventory, restoration and reclamation of recently acquired land, including demolition of
568 structures, removal of debris, eradication of non-native species, and other services essential to
569 these reclamation efforts; and provided further, that the department of fish and game shall
570 establish a program for the restoration and habitat protection of cranberry bogs and associated
571 wetland systems, and for the acquisition in land or interests in land, by the department of fish and
572 game of environmentally significant wetland habitats for the purpose of preservation of open
573 space and to improve and protect natural water resources and quality that is essential to cranberry
574 agriculture and plant habitat, and projects under said program may be carried out with other
575 governmental agencies and entities, non-profit and conservation organizations, and public and
576 private land owners; provided further, that \$7,000,000 shall be expended for the design and
577 construction of 3 pedestrian underpasses adjacent to the Boston-side of the Charles River at the
578 River Street, Western Avenue and Anderson bridges; provided further, that the pathway leading
579 to these underpasses shall not extend laterally toward the center of the Charles river further than

580 the new underpass finished tunnel bores; provided further, that the pathway leading to these
581 underpasses shall not extend over the watershed of the Charles river any further than the
582 minimum distance required to achieve the required slope and grade specifications for the
583 pathways to comply with the American with Disabilities Act; and provided further, that the
584 pathway structures and tunnels shall not alter the existing arches of said River street or Western
585 avenue bridges or hinder or impede any navigable waterway through the existing arches of said
586 bridges; provided further, that \$1,000,000 shall be expended for bicycle and pedestrian safety,
587 signal improvements and traffic calming measures on Alewife Brook Parkway and Fresh Pond
588 Parkway between Rindge Avenue and the Elliott Bridge in Cambridge; provided further, that
589 \$1,500,000 shall be expended to complete the Concord River Greenway in Lowell and connect it
590 to the statewide Bay Circuit Trail and Greenway; provided further, that \$300,000 shall be
591 expended to install monitors at combined sewer overflow locations in the Mystic River
592 Watershed; provided further, that \$250,000 shall be expended for purpose of creating and
593 maintaining a public website that compiles all information about pollution on rivers in the
594 Commonwealth and notifies the public of any combined sewer overflows and the effect that the
595 combined sewer overflow has on water quality in the affected river; provided further, that not
596 more than \$2,000,000 shall be expended for the construction of a recreational trail around
597 Watson Pond and for connecting access trails, in Watson Pond State Park in the city of Taunton;
598 provided that \$5,000,000 shall be expended for upgrades and improvements to the VFW
599 Parkway in the West Roxbury Section of the City of Boston; provided further, that \$1,200,000
600 shall be expended for the planning, acquisition, design, and construction of an extension of the
601 Upper Charles Trail in the Town of Holliston; and provided further, that \$1,500,000 shall be

602 expended for the planning, acquisition, design, and construction of an extension of the Upper
603 Charles Trail from Milford into the Town of Hopkinton.....\$20,000,000

604 2300-7023 For the purposes of conserving and recovering rare and endangered plant and
605 animal species listed pursuant to chapter 131A of the General Laws and protecting other
606 elements of the state’s threatened natural heritage, through conservation, preparation of
607 endangered species recovery plans, implementation of recovery and rehabilitation projects, and
608 the execution of habitat and ecological restoration and management, as identified by the division
609 of fisheries and wildlife's natural heritage and endangered species program and approved by the
610 director of the division and the commissioner of the department; provided, that the associated
611 costs may include, but shall not be limited to, species recovery, and rehabilitation projects,
612 habitat restoration and management, monitoring services and equipment purchases; and provided
613 further, that this work may be carried out in cooperation with local municipalities, private
614 conservation organizations, private landowners, universities or governmental
615 agencies.....\$1,000,000

616 2300-7024 For a program of upland habitat management of forestlands, shrub lands and
617 grasslands, to provide habitat for native wildlife species experiencing long-term population
618 declines, to control invasive, exotic species that degrade natural habitats, and to maintain
619 independent, third party certification of sustainable resource management on state wildlife lands
620 through the forest stewardship council or the sustainable forestry initiative; provided, that
621 activities shall include, but shall not be limited to, implementation of habitat management plans
622 as established by the division of fisheries and wildlife and approved by the director of the
623 division and the commissioner of the department; and to establish and support an integrated,
624 early detection and rapid response system for invasive species and to complete a strategic

625 management plan for invasive species to prevent, control, eradicate and restore natural
626 management areas; and for a landowner incentive grant program to restore declining species and
627 their habitats identified in the comprehensive wildlife conservation Strategy on private lands that
628 may include, but shall not be limited to, technical and financial assistance, implementation and
629 monitoring as established by the division of fisheries and wildlife and approved by the director
630 of the division and the commissioner of the department, and for associated costs; provided, that
631 the associated costs may include, but shall not be limited to, restoration, management,
632 monitoring services and equipment purchases; provided further, that the projects may be carried
633 out in cooperation with cities, towns, not-for-profit organizations, private landowners,
634 conservation organizations, sportsmen's clubs or governmental agencies; provided further, that
635 grants may be awarded to public and non-public entities to carry out the purposes of this item;
636 and provided further, that the department may award grants to public and non-public entities to
637 carry out the purposes of this item; provided further, that \$300,000 shall be expended to
638 establish a pilot program in the town of Groton to formulate and support a detection and response
639 system for invasive plant species along public roadways, and further to implement a strategic
640 management plan to prevent, control, and eradicate invasive plant species along public
641 roadways; provided further, that \$1,200,000 shall be expended for flooding control, dredging,
642 and eradication of non-native plat species of Canal Brook an outlet of Lake Congamond; and
643 provided further, that \$400,000 shall be expended for the costs of hydraulic dredging,
644 construction of containment and flocculation basins, and other technologies for sediment
645 removal, disposal, and aquatic invasive species control in Crystal Lake and Elginwood Pond in
646 the city of Peabody.....\$1,000,000

647 2300-7025 For river and wetland restoration programs in the division of ecological
648 restoration, riverways program and the commissioner’s office within the department of fish and
649 game; provided, that funds authorized in this item may be utilized for river, wetland and river
650 corridor revitalization, ecological restoration and protection of aquatic ecosystems and functions
651 statewide, including, but not limited to, dam and barrier removal, instream improvements, flow,
652 water quality, riverine habitat, for protection of high quality riparian and wetland habitat, to
653 assess and mitigate threats from climate change, and improve recreational opportunities;
654 provided further, that these costs may include, but shall not be limited to, equipment to
655 implement these programs; and provided further, that the commissioner or a designee may enter
656 into cooperative agreements with state and federal government agencies and municipalities, may
657 contract for services as related to this item including, but not limited to, engineering and
658 monitoring, and may award grants to public and non-public entities to foster and carry out the
659 purposes of this item.....\$20,000,000

660 2300-7026 For the planning, engineering, design, construction, construction inspection,
661 acquisition, development and reconstruction of existing and new coastal and inland access sites
662 including, but not limited to, boat launching facilities, fisherman boat access facilities, car-top
663 boat launching facilities, canoe and kayak access facilities, sport fishing piers and shore fishing
664 areas including, but not limited to, ramps, docks, floats and appurtenant facilities throughout the
665 commonwealth including, but not limited to, construction of signage and informational kiosks,
666 and the implementation of coastal projects developed jointly with the Marine Recreational
667 Fisheries Development Fund; provided further, that funds shall be expended for study, design,
668 permitting and construction of the north terminal bulkhead extension, city of New Bedford;
669 provided further, that \$400,000 shall be expended to reconstruct the Sabbatia Lake boat ramp

670 and rebuild the boat ramp parking area in the city of Taunton; provided further, that \$1,000,000
671 shall be expended for the repair and restoration of Milton Landing in the town of Milton;
672 provided further, that \$8,000,000 shall be expended for a water transportation hub to be
673 developed at the John T. Fallon Pier managed by UMass Boston to create water transportation
674 service from Columbia Point, Boston and Quincy communities; and provided further, that the
675 dock system at Fallon Pier will be compliant with the Americans with Disabilities
676 Act.....\$12,000,000

Department of Agricultural Resources.

677 2500-7023 For the purpose of developing and implementing programs designed to
678 address agricultural economic and environmental sustainability, research, industry promotion,
679 technology transfer, education and to facilitate improvements to agricultural infrastructure,
680 energy conservation and efficiency, including the development and implementation of farm
681 viability plans and other technical and engineering assistance to enhance the economic and
682 environmental viability of farms, to promote urban agriculture, to provide for shorter term land
683 covenants, and for undertaking of markets for agricultural products to assist in agricultural
684 business enhancement and transition, the creation of a program, including grants to public and
685 non-public entities for the development and implementation of new procedures for energy
686 conservation and efficiency, renewable and alternative energy sources to assist the
687 commonwealth's agricultural community to grow and develop; provided further, that there shall
688 be established a program to assist in the preservation and rehabilitation of facilities and land
689 resources of agricultural fairs in the commonwealth through preservation covenants, grants,
690 demonstration projects and other means, under section 38C of chapter 128 of the General Laws;
691 provided further, that funds authorized in this item may be allocated by the commissioner

692 through competitive grants; provided further, that the commissioner may adopt regulations
693 relative to these grants; provided further that not less than \$2,500,000 shall be expended for the
694 creation, maintenance and expansion of community farms in the town of Randolph; provided
695 further that not less than \$2,500,000 shall be expended for the creation, maintenance and
696 expansion of community farms in the town of Milton; provided further, that \$1,000,000 shall be
697 expended for the maintenance, improvement, and expansion of the Brookwood Community
698 Farm, including buildings, structures and real property, in the town of Canton; provided further,
699 that \$8,000,000 shall be expended on programs for the purpose to promote urban agriculture,
700 including, grants to municipalities and non-profit organizations to acquire land for urban
701 agriculture, and for related infrastructure, equipments and technical assistance, subject to the
702 requirement that such expenditures benefit recipient communities by promoting community,
703 access to locally grown food, job creation, small business development, agricultural training and
704 youth development; and provided further, that \$2,000,000 shall be expended to support food
705 ventures, primarily in communities of low or moderate income, including but not limited to
706 community kitchens, food truck commissaries, greenhouses, farmers markets, infrastructure for
707 community supported agriculture businesses.....\$11,000,000

Department of Conservation and Recreation.

708 2840-7024 For the design, construction, reconstruction, removal, improvement or
709 rehabilitation of department reservations, forests, parks, harbor islands, skating rinks, swimming
710 pools, golf courses, tennis courts, basketball courts, playgrounds, other recreational facilities,
711 beaches and related facilities, storage buildings, office buildings and other parks buildings and
712 equipment and for the planning, design, construction, repair, reconstruction, rehabilitation or
713 improvement of department bike paths, greenways, recreational trails and related facilities and

714 equipment; provided further, that \$2,000,000 shall be expended for the design and construction
715 of a visitor center at the Walden Pond State Reservation; provided further, that \$2,000,000 shall
716 be expended for the design and construction of Phase II of the Watertown Greenway multi-use
717 path from Arlington street in the town of Watertown to Fresh Pond Reservation in the City of
718 Cambridge; provided further, that \$7,000,000 shall be expended for the design, improvement,
719 and reconstruction of the Brighton-Allston Swimming Pool located at 360 North Beacon street in
720 the Allston-Brighton section of the city of Boston; provided further, that \$200,000 be expended
721 for improvements to the Worcester Vietnam Veterans Memorial including, but not limited to,
722 electrical repairs, masonry repairs, and new signage; provided further, that \$5,000,000 shall be
723 expended for the purpose of making improvements to Goodale Park in the town of West
724 Boylston; provided further, that \$1,200,000 shall be expended for environmental remediation
725 improvements to Pine Banks Park in the Cities of Melrose and Malden; provided further, that no
726 less than \$250,000 will be expended for the cleanup and replanting of the Fellsmere Pond area in
727 the City of Malden; provided further, that funds shall be expended for the design and
728 construction of capital projects and equipment identified by the Metropolitan Beaches
729 Commission in Nahant, Lynn, Revere, Winthrop, East Boston, South Boston, Dorchester,
730 Quincy and Hull in consultation with the Department of Conservation and Recreation; provided
731 further, that funds shall be expended for the development and support of local efforts to improve
732 water quality on the metropolitan region's public beaches owned by the commonwealth under
733 the care, custody and control of the department of conservation and recreation, including, but not
734 limited to, convening the public to enhance awareness of and participation in planning,
735 regulatory, and permitting decisions, site specific research and analysis, feasibility and other
736 assessments, plans for water, sewer, storm water, and other infrastructure investments, site

737 specific plans, including, construction documents and architectural blueprints, the development
738 of municipal storm water management plans, the design, construction, restoration, enhancement,
739 reconstruction, rehabilitation or replacement of storm water and sewage system infrastructure,
740 and for outreach, communications, education, and planning to improve water quality in
741 communities that include, but are not limited to, Lynn, Nahant, Revere, Winthrop, East Boston,
742 South Boston, Dorchester, Quincy and Hull; provided further, that \$1,400,000 shall be expended
743 and made available to the Town of Salisbury for a bathhouse and lifeguard station at Salisbury
744 Beach in conjunction with the department of conservation and recreation; provided further, that
745 \$600,000 shall be expended for synthetic turf at Nicholson Stadium at Methuen High School in
746 the City of Methuen; provided further, that \$1,500,000 shall be expended for improvements and
747 related construction to recreation fields located at St. Mary's way and Griswold street in the city
748 of Revere; provided further, that \$1,500,000 shall be expended for the purpose of surface
749 flooding reduction, and for other improvements as may be required, at the recreation fields
750 located on Winthrop avenue in the city of Revere; provided further, that funds shall be expended
751 for capital improvements to the Horseneck Beach State Reservation in the town of Westport,
752 subject to the restriction that the department shall not relocate any of the existing 32 waterfront
753 campsites at the Horseneck Beach campgrounds as a result of such improvements; provided
754 further, that funds shall be expended for the design and reconstruction of the Commissioners
755 Landing, Darmouth Street Landing and Gloucester Street Landing in the Charles River
756 Reservation in the City of Boston; provided further that \$2,500,000 shall be expended for the
757 preservation and restoration of the Blue Hills Observatory in the town of Milton; provided
758 further, that \$2,500,000 shall be expended for improvements, repairs, and energy efficiency
759 upgrades at the Trailside Museum in the town of Canton; provided further, that \$1,250,000 shall

760 be expended for the improvement, rehabilitation and expansion of facilities at the Blue Hills Ski
761 Area in the town of Canton; provided further that \$2,000,000 shall be expended for
762 improvements and the construction of a well at Houghton’s Pond; provided further, that
763 \$2,000,000 shall be expended for the improvement, restoration, rehabilitation and maintenance
764 of the Ponkapoag Golf Course in the town of Canton; provided further, that \$1,000,000 shall be
765 expended for the repair and restoration of the Max Ulin Rink; provided further, that \$1,000,000
766 shall be expended for the repair and restoration of the Metropolis Rink; provided further, that
767 \$1,000,000 shall be expended for the repair and restoration of the Joseph J Zapustas Ice Arena;
768 provided further, that \$1,880,000 shall be expended for improvements at Brookline Reservoir
769 Park in the Town of Brookline; provided further, that \$2,500,000 shall be expended for
770 improvements to Swan Street Park in the city of Everett; provided further, that \$750,000 shall be
771 expended for the improvement and redesign of municipal land on Hobart Street with the
772 relocated historic train depot in the town of Danvers; provided further, that no less than
773 \$5,000,000 shall be expended for repairs and improvements to the Lynn Heritage State Park
774 Boardwalk; provided further, that \$500,000 shall be expended for the planning and construction
775 of a pavilion and amphitheater at the River Bend Farm and Visitors Center at the Blackstone
776 River and Canal Heritage State Park; provided further, that \$250,000 shall be expended for the
777 for the maintenance and restoration of Hopedale Pond in the town of Hopedale; provided further,
778 that \$75,000 shall be expended to the town of Millis for athletic field improvements; provided
779 further, that \$3,000,000 shall be expended for upgrades and improvements at Zoo New England;
780 and provided further, that \$250,000 shall be expended for maintenance and improvements at
781 Mittineague Park in the town of West Springfield
782\$ 100,000,000

783 2840-7026 For recreational trails matching grants to assist non-profit organizations and
784 cities and towns to construct, repair and protect recreational trails, including water trails, trails
785 that access rivers, lakes and ponds, and trails for the use of recreational vehicles and snow
786 vehicles, as described under section 20 of chapter 90B of the General Laws; provided, that grant
787 funds shall be expended to reimburse a nonprofit organization, city or town in an amount that the
788 commissioner of the department of conservation and recreation shall determine to be appropriate
789 relative to the anticipated benefits of the project; provided further, that the non-profit
790 organization, or city, or town shall contribute at least 50 per cent of the project costs, which may
791 include in-kind expenses; and provided further, the funds expended from this item for the cost of
792 employees shall not exceed 5 per cent of the funds expended from this item in a fiscal
793 year.....\$5,000,000

794 SECTION 2C.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation.

795 2890-7035 For the design, construction, reconstruction, repair, improvement or
796 rehabilitation of department of conservation and recreation parkways, boulevards, multi-use
797 trails, internal state park roads and recreational trails, pedestrian bridges and related
798 appurtenances and equipment, including, but not limited to, the costs of engineering and other
799 services for those projects rendered by department of conservation and recreation employees or
800 by consultants; provided, that funds may be expended for pedestrian and bicycle safety, traffic
801 calming, landscape improvements, street lighting and safety equipment; provided further, that all
802 work funded by this item shall be carried out according to standards developed by the

803 department of conservation and recreation pursuant to historic parkways preservation treatment
804 guidelines to protect the scenic and historic integrity of the bridges and parkways under its
805 control; provided further that \$10,000,000 shall be expended on design, signalization, safety
806 improvements, sidewalks, and aesthetic improvements on Brush Hill Road and Truman Parkway
807 in the town of Milton; provided that the department of conservation and recreation shall ensure
808 all signage on Truman Parkway properly refers to the road as “parkway”; provided further that
809 not less than \$1,000,000 shall be expended for aesthetic, pedestrian, and vehicular traffic
810 improvements at the intersection of Neponset Valley Parkway and Brush Hill Road in the town
811 of Milton\$78,000,000

812 SECTION 2D.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Department of Energy Resources.

813 9300-7031 For the leading by example program, to reduce greenhouse gas emissions
814 and other environmental impacts at state agencies, authorities and public colleges and
815 universities; to stimulate increased public and private sector investment in clean energy and
816 related enterprises, institutions and projects in the commonwealth, including providing economic
817 assistance for the development of these enterprises and non-financial assistance; provided, that
818 costs payable from this item shall include, but not be limited to, the costs of engineering and
819 other services essential to these projects rendered by department of environmental protection and
820 maintenance employees or by consultants; provided further, that for projects which the secretary
821 of administration and finance certifies to the comptroller directly or indirectly generate new state
822 revenue or budgetary savings, the comptroller shall transfer those budgetary savings or revenue

823 to the state treasurer for payment of debt service related to those
824 projects.....\$5,000,000

825 9300-7918 For the energy conservation improvement program under section 11 of
826 chapter 25A of the General Laws; provided, that costs payable from this item shall include, but
827 not be limited to, the costs of engineering and other services essential to these projects rendered
828 by department of environmental protection and maintenance employees or by consultants;
829 provided further, that funds in this item shall be allocated from time to time by the commissioner
830 of energy resources for the purposes of the energy audit program, the energy conservation
831 improvement program, and the alternative energy property program, and for other programs that
832 increase energy efficiency and the deployment of renewable resources at public facilities;
833 provided further, that when expending these funds, the commissioner shall take into
834 consideration, among other relevant factors, the amount of available state and federal financial
835 resources, the needs of each program with respect to public buildings and facilities, the volume
836 of requests or expected requests from other entities for assistance under each program, the
837 expected costs and public benefits of each program and, after information has become available
838 from the energy audit program, the priorities and needs indicated by that information; provided
839 further, that funds shall be expended on the buildings and facilities owned by public entities;
840 provided further, that for projects which the secretary of administration and finance certifies to
841 the comptroller directly or indirectly generate new state revenue or budgetary savings, the
842 comptroller shall transfer those budgetary savings or revenue to the state treasurer for payment of
843 debt service related to those projects; provided further, that grants may be issued, including, but
844 not limited to, municipalities, regional planning agencies, non-profit organizations and other
845 public and non-public entities, for the purposes of this item; and provided further, that funds

846 shall be expended on energy efficiency and environmental improvements to Union Station in the
847 city of Springfield \$10,000,000

848 SECTION 2E.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Division of Capital Asset Management and Maintenance.

849 1102-2015 For the accelerated energy program to improve the energy efficiency of
850 state-owned facilities, which includes costs associated with planning and studies, prepayment of
851 lease for a term that exceeds the useful life of the facility, gifts or other transfers, or by eminent
852 domain under chapter 79 of the General Laws, for the preparation of plans and specifications,
853 repairs, construction, renovations, improvements, asset management and demolition, disposition
854 and remediation of state-owned and former county facilities and grounds and repair and
855 maintenance of buildings and building systems and equipment at various facilities of the
856 commonwealth; provided, that all maintenance and repair work funded in this item shall be listed
857 in the capital asset management information system administered by the division of capital asset
858 management and maintenance; provided further, that, where appropriate, the commissioner of
859 capital asset management and maintenance may transfer funds in accordance with the delegation
860 of project control and supervision process under section 40B of chapter 7 of the General Laws;
861 provided further, that costs payable from this item shall include, but not be limited to, the costs
862 of engineering and other services essential to these projects rendered by division of capital asset
863 management and maintenance employees or by consultants; provided further, that amounts
864 expended for division employees may include the salary and salary-related expenses of these
865 employees to the extent that they work on or in support of these projects; provided, however, that

866 the division shall not expend more than 5 per cent of the funds authorized herein for such costs;
867 and provided further, that the commissioner of the division of capital asset management and
868 maintenance shall maximize efforts to utilize all available means to minimize use of capital
869 funds to pay for salaries of division employees.....\$62,000,000

870 SECTION 2F.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Division of Capital Asset Management and Maintenance.

871 1102-2016 For the accelerated energy program to improve the energy efficiency of
872 state-owned facilities, which includes costs associated with planning and studies, prepayment of
873 a lease for a term that exceeds the useful life of the facility, gifts or other transfers, or by eminent
874 domain under chapter 79 of the General Laws, for the preparation of plans and specifications,
875 repairs, construction, renovations, improvements, asset management and demolition, disposition
876 and remediation of state-owned and former county facilities and grounds and repair and
877 maintenance of buildings and building systems and equipment at various facilities of the
878 commonwealth; provided, that all maintenance and repair work funded in this item shall be listed
879 in the capital asset management information system administered by the division of capital asset
880 management and maintenance; provided further, that, where appropriate, the commissioner of
881 capital asset management and maintenance may transfer funds in accordance with the delegation
882 of project control and supervision process under section 5 of chapter 7C of the General Laws;
883 provided further, that for projects which the secretary of administration and finance certifies to
884 the comptroller directly or indirectly generate new state revenue or budgetary savings, the
885 comptroller shall transfer those budgetary savings or revenue to the state treasurer for payment of

886 debt service related to those projects; provided further, that costs payable from this item shall
887 include, but not be limited to, the costs of engineering and other services essential to these
888 projects rendered by division of capital asset management and maintenance employees or by
889 consultants; provided further, that amounts expended for division employees may include the
890 salary and salary-related expenses of these employees to the extent that they work on or in
891 support of these projects; provided, however, that the division shall not expend more than 5 per
892 cent of the funds authorized herein for such costs; and provided further, that the commissioner of
893 the division of capital asset management and maintenance shall maximize efforts to utilize all
894 available means to minimize use of capital funds to pay for salaries of division
895 employees.....\$250,000,000

896 SECTION 2G.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

Office of the Secretary.

897 2000-7026 For the design, construction, reconstruction, rehabilitation or removal of
898 coastal infrastructure, including, but not limited to, seawalls, jetties, revetments, retaining walls;
899 provided, that costs payable from this item may include, but not be limited to, the costs of
900 engineering and other technical assistance services essential to these projects rendered by the
901 office of coastal zone management within the executive office of energy and environmental
902 affairs, the office of waterways within the department of conservation and recreation, and
903 maintenance employees or by consultants; provided further, that loans may be made to local
904 government units to carry out this item; provided further, that grants may be awarded to public
905 entities to carry out this item; provided further, that \$7,200,000 shall be expended for the

906 reconstruction of the state-owned, Point Allerton avenue seawall in the town of Hull; provided
907 further, that \$3,000,000 shall be expended for the maintenance, repairs, and reconstruction of
908 seawalls in the city of Quincy; and provided further, that funds shall be expended for design,
909 repair and reconstruction for the Long Beach seawall in the town of
910 Rockport.....\$120,000,000

911 SECTION 3: Chapter 23G of the General Laws, as appearing in the 2010 Official
912 Edition, as amended by section 12 of chapter 238 of the acts of 2012, is hereby amended by
913 adding the following section:-

914 Section 46. Commercial Sustainable Energy Program. (a) As used in this section, the
915 following words shall have the following meanings, unless the context clearly requires
916 otherwise:

917 “Agency”, the Massachusetts Development Finance Agency as established in chapter
918 23G.

919 “Betterment Assessment”, an assessment of a betterment on qualified commercial or
920 industrial property in relation to energy or resiliency improvements established under the
921 commercial sustainable energy program, that has been duly assessed in accordance with chapter
922 80.

923 “Benefitted property owner”, an owner of qualifying commercial or industrial property
924 who desires to install energy or resiliency improvements and who provides free and willing
925 consent to the betterment assessment against the qualifying commercial or industrial property.

926 “Commercial or industrial property”, any real property other than a residential dwelling
927 containing fewer than five dwelling units.

928 “Commercial sustainable energy program”, a program that facilitates PACE projects and
929 utilizes the betterment assessments authorized by this section as the source of both the repayment
930 of and collateral for the financing of PACE projects.

931 “Department”, the Department of Energy Resources as established in chapter 25A.

932 “Energy Improvements”, (1) any renovation or retrofitting of qualifying commercial or
933 industrial real property to reduce energy consumption or installation of a renewable energy
934 system to serve qualifying commercial or industrial property, provided such renovation, retrofit
935 or installation is permanently fixed to such qualifying commercial or industrial property, or (2)
936 the construction of an extension of an existing natural gas distribution company line to qualifying
937 commercial or industrial property to enable the qualifying commercial or industrial property to
938 obtain natural gas distribution service to displace utilization of fuel oil, electricity or other
939 conventional energy sources.

940 “EOEEA”, the Executive Office of Energy and Environmental Affairs as established in
941 section 1 of chapter 21A.

942 “Financing entity”, (1) the agency; or (2) special purpose entity duly authorized by the
943 agency.

944 “PACE bonds”, bonds, notes or other evidence of indebtedness, in the form of revenue
945 bonds and not general obligation bonds of the commonwealth or the financing entity, issued by

946 the financing entity related to the commercial sustainable energy program established by this
947 section.

948 “PACE project”, with respect to a parcel of qualifying commercial or industrial property,
949 (1) design, procurement, construction, installation and implementation of energy or resiliency
950 improvements; (2) related energy or resiliency audits; (3) renewable energy system feasibility
951 studies; and (4) measurement and verification reports of the installation and effectiveness of such
952 energy improvements.

953 “Participating municipality”, a municipality that has entered into a written agreement
954 with the agency as contemplated by subsection (b)(3) of this section.

955 “Qualifying commercial or industrial property”, any commercial or industrial property
956 owned by any person or entity other than a municipality or other governmental entity, that meets
957 the qualifications established for the commercial sustainable energy program in accordance with
958 the program guidelines as established in subsection (d) of this section and in subsection (13) of
959 section 6 of chapter 25A.

960 “Resiliency Improvements”, any renovation or retrofitting of qualifying commercial or
961 industrial real property to adjust to actual or expected climactic stimuli or their effects, provided
962 such renovation or retrofit is permanently fixed to such qualifying commercial or industrial
963 property.

964 “Special purpose entity”, a partnership, limited partnership, association, corporation,
965 limited liability company or other entity established and authorized by the agency to issue PACE
966 bonds, subject to approval by the agency as provided by the agency in its resolution authorizing
967 the special purpose entity to issue PACE bonds.

968 (b) (1) The agency, in consultation with the department, shall establish a commercial
969 sustainable energy program in the commonwealth, and in furtherance thereof, is authorized to
970 issue PACE bonds, either directly or through a special purpose entity, for the purpose of
971 financing all or a portion of the costs of the activities comprising one or more PACE projects.

972 (2) Upon the approval of a PACE project by the department, the financing entity
973 may issue PACE bonds. Such PACE bonds shall be issued in accordance with section 8 of this
974 chapter; provided, however, that the agency shall not be required to make the findings set forth in
975 subsections (a) and (b) of said section 8. PACE bonds issued in furtherance of this section shall
976 not be subject to, or otherwise included in, the principal amount of debt obligations issued under
977 section 29 of this chapter. Such PACE bonds may be secured as to both principal and interest by
978 a pledge of revenues to be derived from the commercial sustainable energy program, including
979 revenues from betterment assessments on qualifying commercial or industrial property on which
980 the PACE projects being financed by the issuance of such PACE bonds are located, as well as
981 any reserve funds or other credit enhancements created in connection with the commercial
982 sustainable energy program.

983 (3) Each municipality in the Commonwealth shall have the option to participate in
984 the commercial sustainable energy program as a participating municipality by executing a
985 written agreement, as approved by a majority vote of the city or town council, or by a majority
986 vote of the board of selectmen, with the agency pursuant to which the municipality has agreed to
987 assess, collect, remit and assign betterment assessments, in return for energy or resiliency
988 improvements for a benefitted property owner located within such municipality and for costs
989 reasonably incurred in performing such duties. Any energy use reduction accomplished through
990 the commercial sustainable energy program shall count toward the municipality's 20 per cent

991 baseline reduction required by section 10 of chapter 25A in order to qualify as a green
992 community.

993 (c) The agency, (1) working in conjunction with the department, shall develop program
994 guidelines governing the terms and conditions under which financing for PACE projects may be
995 made available to the commercial sustainable energy program, which may include standards to
996 encourage property owners to undertake projects where the cost savings of the energy or
997 resiliency improvements over the useful life of the improvements exceeds the costs of the
998 improvements; (2) shall provide information as requested by the department regarding the
999 expected financing costs for PACE projects; (3) may serve as an aggregating entity for the
1000 purpose of securing state or private third-party financing for energy or resiliency improvements
1001 pursuant to this section; (4) may establish a loan loss, liquidity reserve or credit enhancement
1002 program to support PACE bonds issued under this section; and (5) may use the services of one or
1003 more private, public or quasi-public third-party administrators to administer, provide support or
1004 obtain financing for PACE projects under the commercial sustainable energy program.

1005 (d) If a benefitted property owner requests financing from the agency for energy or
1006 resiliency improvements under this section, the agency shall:

1007 (1) Refer the project to the department for approval under the guidelines
1008 established by subsection (13) of section 6 of chapter 25A;

1009 (2) Upon confirmation of project approval by the department, evaluate the project
1010 for compliance with the financial underwriting guidelines established by the agency;

1011 (3) Impose requirements and conditions on the financing in order to ensure timely
1012 repayment, including, but not limited to, procedures for placing a lien on a property as security
1013 for the repayment of the betterment assessment;

1014 (4) Require that the property owner provide a copy of a contract duly executed by
1015 the contractor performing the energy or resiliency improvements;

1016 (5) Require that the property owner obtain consent from any existing mortgage
1017 holder of the property to the intent to finance such energy or resiliency improvements pursuant to
1018 this section; and

1019 (6) If the agency approves financing, require the participating municipality to levy
1020 a betterment assessment in a manner consistent with this section and with chapter 80, insofar as
1021 such provisions may be applicable and consistent with this section, on the qualifying commercial
1022 or industrial property in a principal amount sufficient to pay the costs of the energy or resiliency
1023 improvements and any associated costs that the agency determines will benefit the qualifying
1024 commercial or industrial property, including costs of the agency.

1025 (e) (1) The agency may enter into a financing and assessment agreement with the
1026 property owner of qualifying commercial or industrial property. The agency may raise funds to
1027 supply the financing under such agreement by issuing PACE bonds. Upon execution of such
1028 agreement and immediately prior to making the funds, which may constitute all or a portion of
1029 the proceeds from the issuance of such PACE bonds, available to the property owner for the
1030 PACE project under the agreement, the agency shall notify the participating municipality and the
1031 participating municipality or its designee shall record the betterment assessment and lien on the
1032 qualifying commercial or industrial property.

1033 (2) The agency shall disclose to the property owner the costs associated with
1034 participating in the commercial sustainable energy program established by this section, including
1035 the effective interest rate of the betterment assessment, any fees charged by the authority to
1036 administer the program and any fees charged by third parties such as originators or other
1037 intermediaries.

1038 (f) At the time the betterment assessment is made, the agency shall set the term and
1039 amortization schedule, the fixed or variable rate of interest for the repayment of the betterment
1040 assessment amount, and any required closing fees and costs. The amortization schedule shall
1041 provide for an amortization period of no longer than the lesser of: (1) the useful life of the
1042 longest-lived of the energy or resiliency improvements comprising the PACE project(s) financed
1043 by such betterment assessment; or (2) 20 years. The interest rate, which may be supplemented
1044 with state or federal funding, shall be sufficient to pay the principal and interest and may be
1045 calculated to include the financing and administrative costs of the commercial sustainable energy
1046 program, including delinquencies.

1047 (g) When the agency has authorized, but not issued, PACE bonds for PACE projects and
1048 other costs of the commercial sustainable energy program, including interest costs and other
1049 costs related to the issuance of PACE bonds, the agency may require the participating
1050 municipality where the qualifying commercial or industrial property is located, or the program
1051 administrator duly approved by the agency, to record the agreement between the agency and the
1052 property owner as a betterment pursuant to chapter 80, except that such betterment may apply to
1053 a single parcel of qualifying commercial or industrial property, and as a lien against the
1054 qualifying commercial or industrial property benefitted.

1055 (h) Betterment assessments levied pursuant to this section and the interest, fees and any
1056 penalties thereon shall constitute a lien against the qualifying commercial or industrial real
1057 property until they are paid, notwithstanding the provisions of section 12 of chapter 80, and shall
1058 continue notwithstanding any alienation or conveyance of the qualifying commercial or
1059 industrial real property by one property owner to a new property owner. A new property owner
1060 shall take title to the qualifying commercial or industrial property subject to the betterment
1061 assessment and related lien. The lien shall be levied and collected in the same manner as the
1062 property taxes of the participating municipality on real property, including, in the event of
1063 default or delinquency, with respect to any penalties, fees and remedies and lien priorities. Each
1064 lien may be continued, recorded and released upon repayment in full of the benefit assessment in
1065 the manner provided for property tax liens. Each lien shall take precedence over all other liens
1066 or encumbrances, except a lien for taxes of the municipality on real property.

1067 (i) Any participating municipality may sell or assign to the agency, or to an assignee
1068 designated by the agency, any and all liens filed by the tax collector, as provided in the written
1069 agreement between the participating municipality and the agency. The agency and the
1070 assignee(s) shall negotiate the consideration received by the agency. The assignee(s) shall have
1071 and possess the same powers and rights at law or in equity as the agency and the participating
1072 municipality and its tax collector would have had with regard to the precedence and priority of
1073 such lien, the accrual of interest and the fees and expenses of collection. The assignee(s) shall
1074 have the same rights to enforce such liens as any private party holding a lien on real property,
1075 including, but not limited to, foreclosure and a suit on the debt. The assignee(s) shall recover
1076 costs and reasonable attorneys' fees incurred as a result of any foreclosure action or other legal
1077 proceeding brought pursuant to this section and directly related to the proceeding from those

1078 having title to the property subject to the proceedings. Such costs and fees may be collected by
1079 the assignee(s) at any time after the assignee(s) have made a demand for payment.

1080 (j) The exercise of the powers granted by this section shall be for the benefit of the people
1081 of the commonwealth by increasing energy efficiency and resiliency in the commonwealth. As
1082 the exercise of such powers shall constitute the performance of essential government functions,
1083 the financing entity shall not be required to pay any taxes or assessments upon the property
1084 acquired or used by the financing entity under this section or upon the income derived therefrom.
1085 The PACE bonds issued under this section, their transfer and the income derived therefrom,
1086 including any profit made on the sale thereof, shall at all times be free of taxation within the
1087 commonwealth.

1088 (k) The activities of the commercial sustainable energy program shall be reviewed in the
1089 3-year planning process and annual reviews undertaken pursuant to section 21 of chapter 25.

1090 (l) The agency may establish rules and guidelines as are necessary to implement the
1091 purposes of the program, including procedures describing the application process and criteria to
1092 be used in evaluating application for PACE bonds under this section.

1093 SECTION 4. Section 6 of chapter 25A of the General Laws, as appearing in the 2010
1094 Official Edition, is hereby amended by striking subsection 12 and inserting in place thereof the
1095 following subsections:-

1096 (12) intervene and advocate on behalf of small commercial and industrial users before the
1097 department of public utilities in any dispute between such businesses and generation or
1098 distribution companies, as defined pursuant to section 1 of chapter 164; and

1099 (13) plan, develop, oversee and operate the commercial sustainable energy program, with
1100 the Massachusetts Development Finance Agency, in accordance with the provisions of section
1101 46 of chapter 23G. In accordance with this section, the Department shall approve each PACE
1102 project prior to the issuance of a PACE bond under section 46 of chapter 23G and in so doing
1103 shall consider whether the cost savings of the energy or resiliency improvements over the useful
1104 life of such improvements exceed the costs of such improvements.

1105 SECTION 5. Section 1 of chapter 23J of the General Laws, as appearing in the 2012
1106 Official Edition, is hereby amended by inserting after the definition of “Trust fund”, the
1107 following definitions:-

1108 “Water Technology Innovation”, advanced and applied technologies that may require
1109 less energy to operate and improve the management, treatment, distribution and efficient use of
1110 water resources including, but not limited to, drinking water, wastewater, stormwater, surface
1111 water, groundwater and salt water across a portfolio of uses, but not limited to, municipal,
1112 industrial, commercial, domestic and agricultural.

1113 “Water trust fund”, the Massachusetts Water Technology Innovation Trust Fund
1114 established pursuant to section 9A.

1115 SECTION 6. Subsection (a) of section 2 of said chapter 23J, as so appearing, is hereby
1116 amended by inserting after the third paragraph, the following paragraph:-

1117 The center shall further promote the public interests by promoting water technology
1118 innovation and industry development in accordance with section 9A.

1119 SECTION 7. Subsection (e) of said section 2 of said chapter 23J, as so appearing, is
1120 hereby amended inserting after the second paragraph, the following paragraph:-

1121 The board shall appoint and employ a water trust fund director, who shall be a resident of
1122 the commonwealth and who shall have knowledge and expertise in the field of water innovation.
1123 The board shall fix the compensation and conditions of employment of the director of the water
1124 trust fund, who shall report to the executive director.

1125 SECTION 8. Said subsection (a) of said section 3 of said chapter 23J, as so appearing, is
1126 hereby amended by striking subparagraph (30) and inserting in place thereof the following
1127 subparagraphs:-

1128 (30) to establish, if the center so chooses, a program to be known as the entrepreneurial
1129 fellowship program, which shall award grants to entrepreneurs from business sectors other than
1130 clean energy sectors to enroll in programs to foster knowledge and expertise of clean energy
1131 technology; provided, however, that the clean energy technology programs shall be based upon
1132 intensive technology, market and policy curriculum and; provided, further, that the center shall
1133 establish public-private partnerships and enter into contribution agreements with commonwealth-
1134 based companies and venture capitalists to support programs designed to mentor and train
1135 entrepreneurs from other business sectors in the areas of clean energy technology and
1136 development to increase investment in the commonwealth's clean energy sector;

1137 (31) to administer the trust fund in accordance with section 9;

1138 (32) to borrow and repay money by issuing bonds or notes, to apply the proceeds of such
1139 bonds or notes to the furtherance of the centers purpose under this chapter and to pledge or
1140 assign or create security interests in any revenues, receipts or other assets or funds of the center

1141 to secure bonds or notes including, without limitation, amounts received or held in the
1142 Massachusetts Renewable Energy Trust Fund established pursuant to section 9; provided, that
1143 bonds and notes issued under this provision shall not be deemed to constitute a debt of the
1144 commonwealth or any such political subdivision and that such bonds and notes shall be payable
1145 solely from the amounts received or held in such Massachusetts Renewable Energy Trust Fund;
1146 and

1147 (33) to administer the water trust fund in accordance with Section 9A.

1148 SECTION 9. Section 9 of said chapter 23J, as so appearing, is hereby amended by
1149 striking the word “fund”, in line 194, and inserting in place thereof the following:- “fund; and”.

1150 SECTION 10. Said section 9 of said chapter 23J, as so appearing, is hereby amended by
1151 inserting after subsection (g) the following subsection:-

1152 (h) The center is hereby authorized at any time and from time to time to issue its debt
1153 obligations in one or more series and in such principal amounts as in the opinion of the center
1154 shall be necessary for achieving its corporate purposes. The bonds or notes issued pursuant to the
1155 security provided by this provision shall not be deemed to constitute a debt of the commonwealth
1156 or any political subdivision thereof or a pledge of the credit of the commonwealth or any such
1157 political subdivision and that such bonds and notes shall be payable solely from the amounts
1158 received or held in the Massachusetts Renewable Energy Trust Fund.

1159 The power to determine any of the details of the debt obligations of the center including,
1160 but not limited to, their date of issue, their maturity, their interest rate or rates, the date or dates
1161 of payment of interest, their denominations, their form, their execution, their terms of

1162 redemption, and the power to award such debt obligations to a purchaser or purchasers may be
1163 delegated by the board to any member thereof or to any agent of the center.

1164 In the discretion of the center, debt obligations issued under the provisions of this section
1165 may be secured by one or more trust agreements. Any such trust agreement may pledge, grant a
1166 security interest in or otherwise assign as security for debt obligations which secures it all or any
1167 part of the revenues, funds or assets of the center; provided, that bonds and notes issued under
1168 this provision shall be payable solely from the amounts received or held in the Massachusetts
1169 Renewable Energy Trust Fund. The Center may create and establish one or more reserve funds to
1170 be known as debt service reserve funds and may pay into such reserve funds: (i) any money
1171 appropriated or made available by the commonwealth for such funds; (ii) any proceeds of sale of
1172 debt obligations to the extent provided in the resolution of the center authorizing the issuance
1173 thereof or a trust agreement securing the same; and (iii) any other money which may be available
1174 to the center for such purposes. The money held in or credited to any debt service reserve fund
1175 established under this act shall be used solely for the payment of the principal of debt obligations
1176 of the center secured by such reserve fund as the same mature, the purchase of such debt
1177 obligations of the center, the payment of interest on such debt obligations of the center or the
1178 payment of any redemption premiums required to be paid when such debt obligations are
1179 redeemed prior to maturity; provided that, money in any such fund shall not be withdrawn
1180 therefrom at any time in such amounts as would reduce the amount of such fund to less than the
1181 minimum fund balance with respect thereto as designated in a resolution adopted by the board or
1182 as set forth in a trust agreement which secures such debt obligations, with any such designation
1183 to be subject to amendment only as to the extent provided in such resolution or instrument.

1184 In enacting this chapter, the general court does not intend that the commonwealth should
1185 be under any legal or moral obligation to make any appropriation or provision to the center of
1186 any additional funds beyond those collected pursuant to section 20 of chapter 25 in order to
1187 ensure the maintenance of the minimum fund balance of any such debt service reserve fund
1188 established by the center and any debt obligation issued by the center shall contain on its face a
1189 statement to the effect that neither the faith and credit, nor the general taxing power of the
1190 commonwealth or any of its political subdivisions, nor the moral obligation to make available to
1191 the center any funds beyond those collected pursuant to section 20 of chapter 25 is pledged to the
1192 payment of the principal of or premium, if any, or interest on such debt obligation.

1193 All bond or notes of the center executed under this chapter shall have all of the qualities
1194 and incidents of negotiable instruments under the Uniform Commercial Code. Debt obligations
1195 issued by the center under the provisions of this chapter are hereby made securities in which all
1196 public officers and public bodies of the commonwealth and its political subdivisions, all
1197 insurance companies, trust companies, savings banks, co-operative banks, banking associations,
1198 investments companies, executors, trustees and other fiduciaries, and all other persons
1199 whatsoever who are now or may hereafter be authorized to invest in bonds may properly and
1200 legally invest, including capital in their control or belonging to them. Such debt obligations are
1201 hereby made securities which may properly and legally be deposited with and received by any
1202 state or municipal officer or any agency or political subdivision of the Commonwealth and for
1203 any purpose for which the deposit of bonds or other obligations of the commonwealth now or
1204 may hereafter be authorized by law.

1205 SECTION 11. Said chapter 23J of the General Laws, is hereby amended by inserting
1206 after section 9, the following new section:-

1207 Section 9A. (a) There is hereby established and placed within the center a separate fund
1208 to be known as the Massachusetts Water Technology Innovation Trust Fund. The center shall
1209 hold the water trust fund in an account or accounts separate from other funds. The fund shall be
1210 credited any appropriations, bond proceeds or other monies authorized by the general court and
1211 specifically designated to be credited thereto, and any income derived from the investment of
1212 amounts credited to the water trust fund. All amounts credited to the water trust fund shall be
1213 held in trust and used solely for activities and expenditures consistent with the public purpose of
1214 the water trust fund as set forth in subsection (b), including the ordinary and necessary expenses
1215 of administration and operation associated with the water trust fund. Unless otherwise specified,
1216 all monies of the center, from whatever source derived, shall be paid to the treasurer of the
1217 center. Such monies shall be deposited, in the first instance, by the treasurer in national banks, in
1218 trust companies, savings banks and cooperative banks chartered under the laws of the
1219 commonwealth, or in other banking companies in compliance with section 34 of chapter 29.
1220 Funds in these accounts shall be paid out on the warrant or other order of the treasurer of the
1221 center and the director of the water trust fund or other person that the board may authorize to
1222 execute warrants.

1223 (b) The center may make expenditures from the water trust fund for the public purpose of
1224 supporting a water industry cluster in Massachusetts and promoting the development of jobs in
1225 the water technology industry. Such expenditures shall support creation and operation of testing
1226 and piloting facilities for the advancement of water technology. Such expenditures may also
1227 include, but shall not be limited to, the following: (i) supporting the development of pilot and
1228 demonstration projects and other activities designed to advance the commercialization of
1229 promising water technologies in the commonwealth; (ii) the provision of financial support for the

1230 development and application of water-related technologies at all levels including, but not limited
1231 to, basic and applied research and commercialization activities; and (iii) creation of funding
1232 programs including water technology challenges, international partnerships, relevant conference
1233 programs and other means of encouraging water technology innovation in the commonwealth.

1234 (c) Public interests to be advanced through the center's actions shall include, but shall not
1235 be limited to, the following: (i) the development and increased use and affordability of water
1236 technology innovation in the commonwealth and the New England region; (ii) the creation of
1237 additional employment opportunities in the commonwealth through the development of water
1238 technologies; (iii) the stimulation of increased public and private sector investment in, and
1239 competitive advantage for, water innovation technology and related enterprises, institutions and
1240 projects in the commonwealth and the New England region; and (iv) the stimulation of
1241 entrepreneurial activities in these and related enterprises, institutions and projects.

1242 (d) In furtherance of any strategic and operational plans, and other public purposes and
1243 interests, and consistent with all of the powers otherwise granted to the center under section 3 of
1244 this chapter, the center may expend monies from the water trust fund to: make grants, contracts,
1245 loans, equity investments; provide financial or debt service obligation assistance; or take any
1246 other action, in such forms, under such terms and conditions and under such selection procedures
1247 as the center deems appropriate and otherwise in a manner consistent with good business
1248 practices; provided, however, that the center shall employ a preference for competitive
1249 procurements; provided further, that the center shall endeavor to leverage the full range of the
1250 resources, expertise and participation of other state and federal agencies and instrumentalities, as
1251 well as private industry, in the design and implementation of programs conducted pursuant to
1252 this section; and provided further, that the board shall determine and incorporate into the minutes

1253 of its proceedings a finding that such actions are calculated to advance the public purpose and
1254 public interests set forth in this section.

1255 (e) The board shall establish a water technology innovation advisory board. The advisory
1256 board shall consist of the executive director of the Center or a designee; the commissioner of the
1257 department of environmental protection or a designee; 2 individuals appointed by the secretary
1258 of energy and environmental affairs, who shall be employed in the water technology innovation
1259 industry; 1 individual appointed by the secretary, who shall be a representative of a public water
1260 utility in the commonwealth; and 1 individual appointed by the secretary, who shall be a
1261 representative of an institution of higher education in the commonwealth with knowledge and
1262 expertise in the field of water innovation. The advisory board shall meet periodically at such
1263 times and in such places as determined by its members. The advisory board shall make periodic
1264 reports and recommendations to the board of directors; provided, however, that no such
1265 recommendations shall be considered binding upon the board of directors.

1266 SECTION 12. Chapter 29 of the General Laws, is hereby amended by inserting, after
1267 section 2KKK, the following section:-

1268 Section 2LLLL. (a) There shall be established and set upon the books of the
1269 commonwealth a separate fund to be known as the Climate Change Adaptation Infrastructure
1270 Investment Fund into which shall be deposited amounts credited or transferred to the fund by the
1271 general court or any other source including, without limitation, federal grants, loan repayments,
1272 investment earnings on monies in the fund, and any other amounts required to be credited to the
1273 fund by operation of law, resolution or agreement entered into by the department of conservation
1274 and recreation, office of coastal zone management or the department of fish and game. The fund

1275 shall be administered by the secretary of energy and environmental affairs. Monies deposited
1276 into the fund that are unexpended at the end of the fiscal year shall not revert to the General Fund
1277 and shall be available for expenditure in the subsequent fiscal year.

1278 (b) Amounts credited to the fund may be used, without further appropriation, for the costs
1279 associated with the operations of the office of waterways and the office of dam safety within the
1280 department of conservation and recreation, the department of environmental protection the
1281 department of fish and game and its divisions and the office of coastal zone management within
1282 the executive office of energy and environmental affairs for the costs associated with operations,
1283 but such expenditures shall be solely for the purposes stated in this section and no funds shall be
1284 transferred from the trust to any other fund, and to provide grants or loans to agencies of the
1285 commonwealth, local governmental bodies to finance or refinance costs of inspection, repair and
1286 removal projects including, but not limited to, projects related to seawalls, jetties, revetments,
1287 retaining walls, and inland flood control; provided, however, that the secretary of environmental
1288 and energy affairs shall require a local match for any funds provided to a local government body.
1289 The amount expended from this item during any fiscal year for the costs of employees shall not
1290 exceed 5 per cent of the funds expended from the fund in that fiscal year. As used in this section,
1291 a “local governmental body” shall include a municipality, district or regional governmental unit
1292 and a commission or board of a municipality and district or regional governmental unit.

1293 (c) On or before September 1 of each year, a local governmental body or public flood
1294 control infrastructure owner may apply to the secretary of energy and environmental affairs for
1295 assistance in financing the cost of an eligible infrastructure project. Priority shall be given to
1296 projects that are owned or operated by agencies of the commonwealth or local governmental
1297 bodies.

1298 SECTION 13. Section 34A of chapter 164 of the General Laws, as appearing in the 2010
1299 Official Edition, is hereby amended by inserting after the word “Town” in line 1 the following:-
1300 or any other public or quasi-public agency or entity.

1301 SECTION 14. Said section 34A of such chapter 164, as so appearing, is hereby further
1302 amended by inserting after the word “municipality” in lines 12, 13, 29, 31, 35, 37, 44, 48, 52, 57,
1303 60, 65, and 70 the following:- or any other public or quasi-public agency or entity.

1304 (f) The center shall have the ability to pursue water technology innovation and industry
1305 development activities described in this section unless and until the water trust fund ceases to
1306 have sufficient resources to do so.

1307 SECTION 15. Section 142 of said chapter 164, as so appearing, is hereby amended by
1308 adding the following paragraph:- A distribution company shall not exercise its franchise rights in
1309 a way that would affect the distribution and sale of low-emissions electricity by facilities to end
1310 use customers; provided, however, that the department may grant a waiver of this prohibition
1311 upon a finding that the waiver is in the public interest and that failure to grant the waiver will
1312 result in irreparable harm to the distribution company. Any party aggrieved by a decision of the
1313 department under this section may seek judicial review under chapter 30A.

1314 SECTION 16. Item 2000-7013 of section 2A of said chapter 312 of the acts of 2008 is
1315 hereby amended by inserting after the word “ provided”, in line 8, the following words:- that any
1316 land protected with funds authorized in this item be open to the general public for appropriate
1317 passive recreation; provided further.

1318 SECTION 17. Item 2000-7014 of said section 2A of said chapter 312 is hereby amended
1319 by striking out, in line 1, the word “park” and inserting in place thereof the following word:-
1320 parkland.

1321 SECTION 18. Item 2000-7016 of said section 2A of said chapter 312 is hereby amended
1322 by striking out, in lines 1 to 30, inclusive, the words “For the conservation partnership grant
1323 program to assist not-for-profit corporations in acquiring interests in lands suitable for purposes
1324 of conservation or recreation; provided, that the corporation shall be formed for one of the
1325 purposes described in section 4 of chapter 180 of the General Laws and the corporation shall be
1326 considered an exempt organization within the meaning of section 501(c)(3) of the Internal
1327 Revenue Code; provided further, that grant funds shall be expended to reimburse an eligible
1328 corporation for money expended by it in establishing a project approved by the secretary of
1329 energy and environmental affairs under this program in an amount that the secretary shall
1330 determine to be equitable in consideration of anticipated benefits from the project, but in no
1331 event shall the amount of the reimbursement exceed 50 per cent of the cost of the project;
1332 provided further, that no reimbursement shall be made under this item to a corporation unless a
1333 project application is filed by the corporation with the secretary setting forth the plans and
1334 information that the secretary may require and approved by the secretary, nor until the
1335 corporation shall have certified, in a manner approved by the secretary, its ability to provide an
1336 amount equal to the total cost of the project, nor until the project has been completed, to the
1337 satisfaction of the secretary, in accordance with the approved plans; provided further, that all
1338 projects shall include the grant by the corporation of an appropriate perpetual conservation
1339 restriction, within the meaning of sections 31 and 32 of chapter 184 of the General Laws, to the
1340 city or town in which the project is located, to be managed by either its conservation or its

1341 recreation commission, or a state agency, or both;” and inserting in place thereof the following
1342 words:- For the conservation partnership grant program to assist not-for-profit corporations and
1343 soil conservation districts defined in sections 19 to 24, inclusive, of chapter 21 of the General
1344 Laws in acquiring interests in lands suitable for purposes of conservation or recreation; provided,
1345 that the corporation shall be formed for 1 of the purposes described in section 4 of chapter 180 of
1346 the General Laws and the corporation shall be considered an exempt organization within the
1347 meaning of section 501(c)(3) of the Internal Revenue Code; provided further, that grant funds
1348 shall be expended to reimburse an eligible corporation or soil conservation district for money
1349 expended by it in establishing a project approved by the secretary of energy and environmental
1350 affairs under this program in an amount that the secretary shall determine to be equitable in
1351 consideration of anticipated benefits from the project, but in no event shall the amount of the
1352 reimbursement exceed 50 per cent of the cost of the project; provided further, that no
1353 reimbursement shall be made under this item to a corporation or soil conservation district unless
1354 a project application is filed by the corporation with the secretary setting forth the plans and
1355 information that the secretary may require and approved by the secretary, nor until the
1356 corporation or soil conservation district shall have certified, in a manner approved by the
1357 secretary, its ability to provide an amount equal to the total cost of the project, nor until the
1358 project has been completed, to the satisfaction of the secretary, in accordance with the approved
1359 plans; provided further, that all projects shall include the grant by the corporation or soil
1360 conservation district of an appropriate perpetual conservation restriction, within the meaning of
1361 sections 31 and 32 of chapter 184 of the General Laws, to the city or town in which the project is
1362 located, to be managed by either its conservation or its recreation commission, or a federal or
1363 state agency, or combination thereof;.

1364 SECTION 19. Item 2200-7011 of said section 2A of said chapter 312 is hereby amended
1365 by striking out, in lines 1 to 21, inclusive, the words “For the purposes of water quality
1366 monitoring, assessment and protection as required to meet the legislative and regulatory
1367 requirements of the Rivers Protection Act, the federal and state Clean Water Acts and the
1368 Massachusetts Wetlands Protection Act and to provide for integrated energy and environmental
1369 projects to optimize and preserve environmental quality and public health and provide for
1370 appropriate protection, restoration, management, and best use of air, energy, water and land
1371 resources; provided, that this funding, may include, but not be limited to, studies of water
1372 quality, the development of wetlands conservancy and tidelands Geographic Information System
1373 (GIS) maps, the implementation of water quality monitoring devices, the collection and analysis
1374 of water quality samples, the development of water quality analyses known as Total Maximum
1375 Daily Loads (TMDL’s), and projects related to non-point and point sources of water pollution,
1376 and the wetlands circuit rider program; otherwise referred to as Area 10 in the town's CWRMP ”
1377 and inserting in place thereof the following words:- For investment in water and air quality
1378 protection as required to meet the legislative and regulatory requirements of the Rivers
1379 Protection Act, the federal and state Clean Water Acts and the Massachusetts Wetlands
1380 Protection Act and to provide for integrated energy and environmental projects to optimize and
1381 preserve environmental quality and public health and provide for appropriate protection,
1382 restoration, management, and best use of air, energy, water and land resources, assets and
1383 infrastructure; provided, that this funding, may include, but not be limited to, research and the
1384 collection of data to support investment in environmental assets, such research and studies to
1385 include, but not be limited to, studies of water quality, the development of wetlands conservancy
1386 and tidelands Geographic Information System (GIS) maps, the implementation of water quality

1387 monitoring initiatives, the collection and analysis of water quality samples, and the development
1388 of water quality analyses known as Total Maximum Daily Loads (TMDL's); projects related to
1389 non-point and point sources of water pollution; and, the wetlands circuit rider program; provided
1390 further, that funds may be expended for local grants and research for implementation of the
1391 commonwealth's Sustainable Water Management Initiative, such grants and research to provide
1392 the data necessary for municipalities to invest in efficient and effective mitigation practices to
1393 restore and preserve the commonwealth's water resources, assets and infrastructure; provided
1394 further, that funds authorized in this item may be used for the purposes of the department's
1395 statewide air monitoring network which may include, but not limited to, photochemical
1396 assessment monitoring stations, small particulate monitoring and air toxins monitoring; and
1397 provided further, that funds authorized in this line may include the upgrade of equipment to
1398 comply with federal requirements.

1399 SECTION 20. Item 2200-7017 of said section 2A of said chapter 312 is hereby amended
1400 by striking out, in lines 7 to 9, inclusive, the words "department of environmental protection to
1401 be of potential use for water supply purposes; provided, that any grants approved by the
1402 department" and inserting in place thereof the following words:- executive office of energy and
1403 environmental affairs to be of potential use for water supply purposes; provided, that any land
1404 protected with funds authorized in this item be made open to the general public for passive
1405 public recreation where appropriate; and provided further, that any grants approved.

1406 SECTION 21. Item 2300-7010 of said section 2A of said Chapter 312 is hereby amended
1407 by striking out, in line 12, the words "fisheries and wildlife" and inserting in place thereof the
1408 following words:- fish and game.

1409 SECTION 22. Said item 2300-7010 of said section 2A of said chapter 312 is hereby
1410 further amended by inserting after the word “ easement”, in line 17, the following words:- or
1411 conservation restrictions.

1412 SECTION 23. Said item 2300-7010 of said section 2A of said chapter 312 is hereby
1413 further amended by inserting after the word “ restrictions”, in line 22, the following words:- or
1414 conservation easements.

1415 SECTION 24. Item 2300-7011 of said section 2A of said chapter 312 is hereby amended
1416 by inserting after the word “ centers”, in line 8, the following words:- dams.

1417 SECTION 25. Item 2300-7013 of said section 2A of said chapter 312 is hereby amended
1418 by inserting after the word “ recovery”, in line 6, the following words:- and rehabilitation.

1419 SECTION 26. Said item 2300-7013 of said section 2A of said chapter 312 is hereby
1420 amended by inserting after the word “ recovery”, in line 12, the following words:- and
1421 rehabilitation projects.

1422 SECTION 27. Item 2300-7014 of said section 2A of said chapter 312 is hereby amended
1423 by striking out, in lines 16 to 20, inclusive, the words “the commissioner shall identify at all
1424 scales the natural and cultural resources at risk from invasive species and conduct baseline
1425 assessments of invasive species at those sites and to educate the public to help prevent and
1426 control invasive species”.

1427 SECTION 28. Item 2300-7017 of section 2A of said chapter 312 is amended by inserting
1428 after the word “ studies”, in line 36, the following words:- ; provided further, that funds may be
1429 expended from this item for a cooperative research program between the department of fish and

1430 game and the division of fisheries and wildlife, University of Massachusetts cooperative research
1431 unit and United States Geological Survey to study the status of the aquatic biological diversity in
1432 the flowing and impounded water of the commonwealth and the impacts of anthropogenic
1433 factors on aquatic resources and develop and implement capital mitigation projects for impacts to
1434 aquatic species and other factors; provided further, that research shall include, but not be limited
1435 to, the impacts of water withdrawal, impervious cover, and water impoundments;.

1436 SECTION 29. Item 2500-7013 of said section 2A of said chapter 312 is hereby amended
1437 by inserting after the word “farms”, in line 9, the following words:- to promote urban agriculture.

1438 SECTION 30. Item 6121-1317 of section 2A of chapter 79 of the acts of 2014 is hereby
1439 amended by striking out the words “provided further, that \$65,000,000 shall be expended on the
1440 dredging of Boston Harbor”;

1441 SECTION 31. To meet the expenditures necessary in carrying out items 2800-7029,
1442 2800-7031, 9300-7030, 9300-7919 in section 2, items 2000-7070 and 7100-1135 in section 2A
1443 and items 2000-7051, 2000-7061 and 2500-7023 in section 2B, the state treasurer shall, upon
1444 request of the governor, issue and sell bonds of the commonwealth in an amount to be specified
1445 by the governor from time to time but not exceeding, in the aggregate, \$122,625,000. All such
1446 bonds issued by the commonwealth shall be designated on their face, Accelerated Energy
1447 Program Improvement Act of 2014, and shall be issued for a maximum term of years, not
1448 exceeding 10 years, as the governor may recommend to the general court under section 3 of
1449 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
1450 June 30, 2029. All interest and payments on account of principal on these obligations shall be

1451 payable from the General Fund. Bonds and interest thereon issued under this section shall,
1452 notwithstanding any other provisions.

1453 SECTION 32. To meet the expenditures necessary in carrying out items 2000-7053,
1454 2200-7021, 2300-7021, 2300-7027, 2300-7028, 2000-7035, 2800-7032, 2800-7107, 2800-7108
1455 and 2840-7027 in section 2, items 0620-1001, 1100-2511, 1100-2530, 2000-7028, 2000-7031,
1456 2000-7054, 2000-7063, 2800-7135, 2500-7024, 1100-2510, 7100-3000 and 7100-3001 in section
1457 2A, out items 2000-7055, 2000-7057, 2000-7062, 2200-7023, 2200-7025, 2300-7023, 2300-
1458 7024, 2300-7025, 2300-7026, 2840-7024 and 2840-7026 in section 2B, and sections 2C to 2G,
1459 inclusive, the state treasurer shall, upon request of the governor, issue and sell bonds of the
1460 commonwealth in an amount to be specified by the governor from time to time but not
1461 exceeding, in the aggregate, \$1,366,000,000. All such bonds issued by the commonwealth shall
1462 be designated on their face, Accelerated Energy Program Improvement Act of 2014, and shall be
1463 issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to
1464 the general court under section 3 of Article LXII of the Amendments to the Constitution. The
1465 bonds shall be payable not later than June 30, 2039. All interest and payments on account of
1466 principal on these obligations shall be payable from the General Fund. Bonds and interest
1467 thereon issued under this section shall, notwithstanding any other provisions.

1468 SECTION 33. To meet the expenditures necessary in carrying out item 2800-7027 in
1469 section 2, items 2000-7056, 2000-7058, 2000-7066, 2500-7011 and 6720-1335 in section 2A and
1470 items 2000-7052, 2000-7060, 2300-7020 in section 2B, the state treasurer shall, upon request of
1471 the governor, issue and sell bonds of the commonwealth in an amount to be specified by the
1472 governor from time to time but not exceeding, in the aggregate, \$236,000,000. All such bonds
1473 issued by the commonwealth shall be designated on their face, Accelerated Energy Program

1474 Improvement Act of 2014, and shall be issued for a maximum term of years, not exceeding 30
1475 years, as the governor may recommend to the general court under section 3 of Article LXII of the
1476 Amendments to the Constitution. The bonds shall be payable not later than June 30, 2049. All
1477 interest and payments on account of principal on these obligations shall be payable from the
1478 General Fund. Bonds and interest thereon issued under this section shall, notwithstanding any
1479 other provisions.

1480 SECTION 34. Appropriations made pursuant to sections 2 to 2G, inclusive, shall be
1481 available for expenditure in the 4 fiscal years following June 30 of the calendar year in which the
1482 appropriation is made and any portion of such appropriation representing encumbrances
1483 outstanding on the records of the state comptroller's office at the close of the fourth fiscal year
1484 may be applied to the payment thereof any time thereafter. The unencumbered balance shall
1485 revert to the commonwealth at the close of the fourth fiscal year.

1486 SECTION 35. To provide for the continued availability of certain bond-funded spending
1487 authorizations which otherwise would expire, the unexpended balances of the following capital
1488 accounts are hereby extended through June 30, 2017, for the purposes of and subject to the
1489 conditions stated for these items in the original authorizations and any amendments to such
1490 authorizations: 6121-0847, 0526-2012, 0620-1000, 0620-2000, 1100-2500, 1102-5000, 1102-
1491 6000, 1102-7000, 2000-7013, 2000-7014, 2000-7015, 2000-7016, 2000-7018, 2000-7022, 2000-
1492 7023, 2000-7024, 2000-7025, 2200-7011, 2200-7012, 2200-7013, 2200-7014, 2200-7015, 2200-
1493 7017, 2200-7018, 2300-7010, 2300-7011, 2300-7013, 2300-7014, 2300-7015, 2300-7016, 2300-
1494 7017, 2300-7018, 2500-7012, 2500-7013, 2500-7014, 2800-7011, 2800-7012, 2800-7013, 2800-
1495 7015, 2800-7016, 2800-7017, 2800-7018, 2800-7019, 2800-7022, 2800-7097, 2800-7098, 2840-
1496 7014, 2840-7017, 6720-7010, 9300-7010, 9300-7909, 2890-7010, 2890-7011, 2820-1420, 2000-

1497 2011, 2000-2012, 2000-2013, 2000-2015, 2000-2017, 2000-2018, 2000-2019, 2000-2020, 2000-
1498 2021, 2000-2024, 2000-2025, 2000-2035, 2200-2011, 2200-2014, 2200-2015, 2200-2017, 2300-
1499 2011, 2300-2012, 2300-2014, 2300-2016, 2300-2017, 2800-0018, 2800-2011, 2800-2017, 2800-
1500 2019, 2800-2021, 2820-2011, 2820-2012, 2840-2013, 2840-2015, 2840-2016, 2840-2019, 2840-
1501 2020, 2840-2022, 2840-2023, 2890-2023, 2890-2040, 8000-9012, 6121-0800, 2850-9951, 2840-
1502 7875, 2200-8969, 2820-8861, 2850-6967, 6121-0816, 6121-0817, 2240-8820, 2250-8820, 2250-
1503 8822.

1504 SECTION 36. The secretary of administration and finance shall submit a report on the
1505 progress of any projects funded through the authorizations in this act to the clerks of the senate
1506 and house of representatives, the chairs of the senate and house committees on ways and means
1507 and the chairs of the senate and house committees on bonding, capital expenditures and state
1508 assets. The report shall include, but not be limited to, the previous year planned spending,
1509 previous year spending, current year planned spending, current year spending to date, original
1510 estimated total project cost, project description, location of the project, type of spending, type of
1511 asset and useful life of the project once completed. The report shall be submitted on June 30 and
1512 December 31 of each year for a period of 8 years after the effective date of this act.

1513 SECTION 37. Each agency acquiring land or an interest in land under section 2, 2A, 2B,
1514 2C, 2D and 2G may expend an amount not to exceed 5 per cent of the amount appropriated to
1515 that agency in section 2, 2A, 2B, 2C, 2D and 2G for the purpose of reimbursing non-profit land
1516 conservation organizations or land trusts for reasonable expenses directly associated with the
1517 acquisition of land or interests in land subsequently conveyed to the commonwealth.
1518 Reimbursements shall be made at the discretion of the agency. The secretary of energy and
1519 environmental affairs shall determine by regulation what shall constitute reasonable expenses. If

1520 the commonwealth does not take title to the property through no fault of the nonprofit
1521 organization or the commonwealth, the commonwealth may reimburse the nonprofit
1522 organization for reasonable expenses associated with due diligence. An organization receiving a
1523 reimbursement under this section shall convey the land or interest in land to the agency for an
1524 amount not to exceed the actual purchase price paid by the organization for the land or interest in
1525 land in addition to any reimbursement received under this section.

1526 SECTION 38. No amounts authorized in section 2, 2A, 2B, 2C, 2D and 2G shall be used
1527 by a recipient municipality for the supplementing or supplanting of normal operating expenses of
1528 any function of the municipality.

1529 SECTION 39. The department of conservation and recreation, in consultation with the
1530 secretary of environmental and energy affairs and the division of fisheries and wildlife, shall
1531 identify areas in which deer overpopulation is negatively impacting forestation, water resources,
1532 or plant growth on department owned land. The department of conservation and recreation shall
1533 also consult with the department of public health regarding the prevalence of tick borne illnesses
1534 as a result of deer overpopulation. The department of conservation and recreation shall use best
1535 efforts to develop and implement a plan to appropriately cull deer herds in these areas by
1536 October 1, 2014, with a focus on areas where the deer population exceeds fifty deer per square
1537 mile. The department of conservation and recreation and division of fisheries and wildlife may
1538 promulgate regulations as necessary to effectuate this section. Any fees collected as part of this
1539 deer culling plan shall be used to fund this plan.

1540 FmThe department of conservation and recreation shall consult with affected
1541 municipalities in establishing said plan. This consultation shall include, but is not limited to,

1542 discussion of local ordinances restricting hunting, the safety of increased hunting, the prevalence
1543 of tick borne illnesses, and the effect of overpopulation on natural resources within the
1544 municipality. The department of conservation and recreation shall consider all concerns
1545 expressed by the municipality but may allow hunting notwithstanding local ordinances with no
1546 less than 30 days notice if reducing the deer population is in the public's best interest.

1547 SECTION 40. Notwithstanding section 30 of chapter 29 of the General Laws or section
1548 65 of chapter 30 of the General Laws, not more than 5 per cent of the funds authorized in
1549 sections 2, 2A, 2B, 2C, 2D and 2G may be used for the costs associated with the purchase of title
1550 insurance and services for title examinations, reports and certifications.

1551 SECTION 41. Notwithstanding any general or special law to the contrary, not more than
1552 5 per cent of the funds authorized in sections 2, 2A, 2B, 2C, 2D and 2G may be expended for
1553 services rendered by agency employees or by consultants to the extent that they work on or in
1554 support of the projects authorized therein; provided, any executive department or state agency
1555 expending said funds shall maximize efforts to utilize all available means to minimize use of
1556 capital funds to pay for services rendered by agency employees or by consultants.

1557 SECTION 42. Notwithstanding any general or special law to the contrary, upon acquiring
1558 any fee interest in land for purposes pursuant to the provisions of Article XCVII of the
1559 Amendments to the Constitution, all state agencies, commissions and boards expending or
1560 receiving state funds under this act shall obtain the approval of the secretary of energy and
1561 environmental affairs before implementing or endorsing any prohibition of fishing, hunting or
1562 trapping on that land and shall provide the secretary with written justification of the prohibition.

1563 SECTION 43. Notwithstanding any general or special law to the contrary, the state
1564 treasurer, in consultation with the secretary of administration and finance, shall annually issue
1565 guidance to state agencies describing the standards used to qualify certain general obligations of
1566 the commonwealth as “green bonds.” Such standards shall be designed to enable investors to
1567 invest directly in environmentally beneficial projects, and shall include, but shall not be limited
1568 to, the following categories of projects: clean water and drinking water projects, including
1569 watershed enhancement projects; energy efficiency and conservation projects in state buildings;
1570 land acquisition, open space protection and environmental remediation projects; river
1571 revitalization and preservation and habitat restoration projects; park and recreational facilities
1572 projects; and public transit projects to preserve public transit assets and to expand public transit
1573 capacity.

1574 Each state agency, as defined in section 1 of chapter 29, receiving funds under this act
1575 shall report whether moneys borrowed and expended under this act may be classified as “green
1576 bonds.” For purposes of this section, “green bonds” shall mean bonds issued under this act that
1577 satisfy the standards promulgated by the state treasurer. Such report shall be delivered not later
1578 than September 30 in any fiscal year in which the agency expends or intends to expend funds
1579 made available under this act. This report shall be delivered to the state treasurer, the secretary
1580 of administration and finance, the chairs of the house and senate committees on ways and means,
1581 the chairs of the house and senate committees on bonding, capital expenditures and state assets
1582 and the clerks of the house of representatives and the senate. An executive office may report on
1583 behalf of any agency contained within that executive office.