

HOUSE No. 4613

House bill No. 4599, as changed by the committee on Bills in the Third Reading, and as amended and passed to be engrossed by the House. June 13, 2018.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide for climate change adaptation and the immediate preservation and improvement of the environmental and energy assets of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 SECTION 1. To provide for a program of climate change adaptation, and the
2 preservation and improvement of the environmental and energy assets of the commonwealth, the
3 sums set forth in this act, for the several purposes and subject to the conditions specified in this
4 act, are hereby made available, subject to the provisions of law regulating the disbursement of
5 public funds, which sums shall be in addition to any other amounts previously made available for
6 these purposes; provided, that the amounts specified for a particular project may be adjusted in
7 order to facilitate projects authorized in this act.

8 SECTION 2.

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EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary

1100-3000 For a program to provide grants and low-interest loans to owners or operators of a dispensing facility, as defined in section 1 of chapter 21J of the General Laws, that retails gasoline and other petroleum products, for the purpose of replacing and modernizing existing single-walled underground petroleum storage tank equipment and related leak detection equipment, and to reduce the risk of pollution from potential leakage; provided that program grants and loans shall be made available for costs, including but not limited to, engineering, tank removal, construction and infrastructure replacement, to install double-walled underground petroleum storage tank equipment and related leak detection equipment; provided further, that the installation of such underground storage tank and leak inspection equipment funded under the program shall comply with any applicable law and regulation of the commonwealth and the federal government; provided further, that such program grants and loans shall be made available only to small-business owners or operators of any eligible dispensing facility not located on land owned by the commonwealth; provided further, that priority for providing grants and loans under the program shall be for any eligible dispensing facility that is located in a rural area; provided further, that the secretary of administration and finance shall make available the funds under this item to the Massachusetts Development Finance Agency to administer the grant and loan program; and provided further, that the Massachusetts Development Finance Agency in consultation with the department of environmental protection shall, no later than January 31, 2019, adopt standards to implement the program, including general guidelines and requirements for owners and operators to make application for such grants and loans, and the criteria used to

31 evaluate applications to provide grants and loans under the
32 program.....\$2,000,000

33 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

34 Office of the Secretary

35 2000-7071 For improvements and replacements to the infrastructure and holdings of
36 the executive office of energy and environmental affairs and its departments and divisions;
37 provided, that these improvements and replacements may include, but shall not be limited to,
38 buildings, equipment, vehicles and communication and technology equipment; provided further,
39 that the secretary of energy and environmental affairs may provide guidance for planning,
40 prioritization, selection and implementation of projects in furtherance of the goals of climate
41 change mitigation and adaptation and consistent with the integrated state hazard mitigation and
42 climate change adaptation plan; and provided further, that any expenditures for communication
43 and technology equipment under this item shall be considered in consultation with the secretary
44 of technology services and security.....\$10,500,000

45 2000-7072 For grant programs for land, soil, water and natural resource conservation;
46 open space preservation; watershed remediation; coastal resource protection; recreation;
47 environmental equity and wildlife and endangered species protection, including, but not limited
48 to, the local acquisition for natural diversity grant program, the parkland acquisition and
49 renovation for communities grant program, conservation partnership grant programs including
50 programs to support landscape-scale land conservation projects, the drinking water supply
51 protection grant program, grant programs to assist and provide funding to conservation districts,
52 and grants to support local, regional and state land use planning and management capabilities to

53 advance smart growth efforts, all pursuant to rules or regulations adopted by the secretary of
54 energy and environmental affairs to effectuate this item; provided, that the secretary of energy
55 and environmental affairs may provide guidance for planning, prioritization, selection and
56 implementation of projects in furtherance of the goals of climate change mitigation and
57 adaptation and consistent with the integrated state hazard mitigation and climate change
58 adaptation plan; provided further, that all projects shall provide appropriate public access as
59 determined by the secretary; provided further, that no less than \$4,750,000 shall be expended for
60 a flood management study of the Assawompset pond complex that is a part of the Taunton river
61 watershed, comprising the towns of Freetown, Lakeville, Middleborough, Rochester, and the city
62 of New Bedford, including, but not limited to, an analysis of existing conditions and
63 recommendations for flood management and mitigation, ecological sustainability and river flow
64 improvements, and relating to the water flows of the Nemasket river into the Taunton river and
65 related water storage and flooding issues of Assawompset and Long pond; provided further, that
66 \$5,000,000 shall be expended for improvements to Fredericks park in the city of Revere;
67 provided further, that no less than \$300,000 shall be expended to Bay Coast Rowing Center, Inc.
68 for the refurbishment and upgrade of an existing boat house building to house a community
69 boating program in the city of Fall River; provided further, that \$1,500,000 shall be expended for
70 the installation of a high-efficiency irrigation system and the planting of native trees, shrubs,
71 groundcover, and restoration of the historic hedge row to promote water conservation, manage
72 stormwater and reduce runoff at Tanglewood in the town of Lenox; provided further, that
73 \$300,000 shall be expended for bog bridging and trail construction, rehabilitation, and
74 accessibility in Kennedy park in the town of Lenox; provided further, that \$100,000 shall be
75 expended to construct a community garden in Mission Hill; provided further, that \$400,000 shall

76 be expended to the Great Barrington Land Conservancy, Inc. for improvements and upkeep of
77 the W.E.B. DuBois river garden park and for improvements, upkeep, and extension of the
78 Housatonic river walk; provided further \$200,000 shall be expended for improvements around
79 the Cook pond in the city of Fall River; provided further, that not less than \$1,000,000 shall be
80 expended to the Sporting, Safety, Conservation, and Education Fund of Falmouth, Inc. for the
81 design, permitting, and restoration of the Child's River and Farley Bog in the towns of Falmouth
82 and Mashpee; provided further, that not less than \$200,000 shall be expended for Mount Grace
83 Land Conservation Trust to be used for continued preservation and protection of land by North
84 Quabbin Regional Landscape Partnership; provided further, that not less than \$1,000,000 shall
85 be expended for renovations and repairs to the Nashua River Embankment in the city of
86 Leominster; provided further, that no less than \$50,000 shall be expended to promote
87 environmental initiatives in the Roxbury neighborhood of Boston; provided further, that not less
88 than \$300,000 shall be expended for green initiatives in the town of Orange to be managed by
89 the Town's Green Community Committee; provided further, that not less than \$1,500,000 shall
90 be expended for demolition of the existing building and for the design, engineering and
91 permitting of an upgraded drainage system for the parcel and its tributaries known as 10 Lowell
92 Street in the city of Peabody; provided further, that not less than \$50,000 shall be expended for
93 repair of the Margin Street Rotary Garden in Lawrence; provided further, that not less than
94 \$100,000 shall be expended for a community garden network in Lawrence; provided further, that
95 not less than \$25,000 shall be expended for improvements to Turkey Hill Pond in the town of
96 Rutland; provided further, that not less than \$25,000 shall be expended for improvements to
97 Demond Hill Pond in the town of Rutland; provided further, that not less than \$1,800,000 shall
98 be expended for the procurement and installation of a high-efficiency irrigation system to

99 promote water conservation at the Gannon Municipal Golf Course in the city of Lynn; provided,
100 further, that not less than \$500,000 shall be expended for the maintenance and improvements,
101 including the design and construction of recreational fields, pedestrian and bike paths, and
102 landscape and aesthetic improvements to the M. Joseph Manning Community Park in the town
103 of Milton; provided further, that not less than \$300,000 shall be expended for improvements to
104 mitigate storm surge damage and reduce siltation to the Freemans Pond culvert in the town of
105 Brewster; provided further, that not less than \$280,000 shall be expended for recreational
106 improvements for Brooklawn Park in the city of New Bedford; provided further, that not less
107 than \$1,000,000 shall be expended to Magazine Beach in Cambridge for costs associated with
108 improvements and restoration; provided further, that not less than \$1,000,000 shall be expended
109 to Commissioner’s Landing in Boston for costs associated with improvements and restoration;
110 provided further, that not less than \$200,000 shall be expended for improvements around the
111 Flax pond in the city of Lynn; provided further, that not less than \$2,000,000 shall be expended
112 for the dredging and conservation of Salisbury Pond at Institute Park in the city of Worcester;
113 provided further, that not less than \$5,000,000 shall be expended to the Charlesgate Park in
114 Boston for costs associated with design, improvements and restoration; provided further, that not
115 less than \$1,000,000 shall be expended on construction and restoration of East Chop Drive in
116 Oak Bluffs; provided further, that not less than \$925,000 shall be expended to the town of
117 Falmouth to design, engineer, and permit upgraded drainage systems for the region of Woods
118 Hole surrounded by Millfield Street, Gardiner Road, and School Street; provided further, that not
119 less than \$450,000 shall be expended for improvements to the Bradford Rail Trail in the city of
120 Haverhill; provided further, that not less than \$500,000 shall be expended for the maintenance
121 and improvement of Newton Pond in the town of Boylston; provided further, that not less than

122 \$500,000 shall be expended for improvements to Ipswich River Park located in the town of
123 North Reading; provided further, that not less than \$1,000,000 shall be expended for renovations
124 and repairs to the Nashua River Embankment in the town of Clinton; provided further, that not
125 less than \$500,000 shall be expended for the construction, renovation, improvement,
126 maintenance and handicapped accessibility of Friendship Park Playground and Roberts Field in
127 the town of Chelmsford; provided further, that not less than \$1,500,000 shall be expended for
128 dredging, safety and environmental improvements to Winter Pond in the town of Winchester;
129 provided further, that not less than \$1,000,000 shall be expended for improvements to the Crystal
130 Spring Trail, the Tedford Trail and the Cross Path and for upgrading traffic control and other
131 improvements in the Greenwood Park area of the Middlesex Fells Reservation; provided further,
132 that not less than \$330,000 shall be expended for improvements to East Beach at East Rodney
133 French Boulevard in the city of New Bedford; and provided further, that not less than \$50,000
134 shall be expended for a study by the department of energy resources on the feasibility,
135 administration, grid-resiliency benefits, peak-shaving benefits, and economic impact of a mobile
136 battery storage systems.....\$190,000,000

137 2000-7073 For the design, construction, reconstruction, rehabilitation, retrofitting,
138 repair or removal of coastal infrastructure and resiliency measures, including, but not limited to,
139 seawalls, jetties, revetments, and retaining walls, beach nourishment, living shorelines and other
140 nature-based solutions; provided, that costs payable from this item may include, but shall not be
141 limited to, the costs of engineering and other technical assistance and planning services essential
142 to these projects rendered by the office of coastal zone management in the executive office of
143 energy and environmental affairs, the office of waterways in the department of conservation and
144 recreation and other commonwealth employees or consultants; provided further, that grants and

145 loans may be made to local government units to carry out this item; provided further, that the
146 secretary of energy and environmental affairs may provide guidance for planning, prioritization,
147 selection and implementation of projects in furtherance of the goals of climate change mitigation
148 and adaptation and consistent with the integrated state hazard mitigation and climate change
149 adaptation plan; \$130,000 for an emergency operations center in the town of Wareham to assist
150 with climate response and resiliency; provided further, that \$4,000,000 shall be expended to
151 repair and replace the failing seawall along Winthrop parkway in the city of Revere; provided
152 further, that not less than \$1,000,000 shall be expended to the town of Duxbury for costs
153 associated with coastal infrastructure improvements; provided further, that not less than
154 \$200,000 shall be expended to the city of Salem for costs associated with coastal remediation
155 and resiliency and seawall repair; provided further, that not less than \$150,000 shall be expended
156 for seawall restorations at Apponagansett Park in the town of Dartmouth; provided further, that
157 not less than \$660,000 shall be expended per year for the Massachusetts Bays National Estuary
158 Program for the purposes of implementing a comprehensive plan for coastal habitat protection
159 and restoration related to coastal resilience; provided further that not less than \$1,000,000 shall
160 be expended to the city known as the town of Weymouth for costs associated with coastal
161 infrastructure improvements, beach nourishment and natural solutions at George Lane Beach and
162 Wessagusset Beach; provided further, that not less than \$50,000 shall be expended to the city of
163 Methuen for a stormwater management plan for the city of Methuen; provided further, that not
164 less than \$500,000 shall be expended to purchase a Vactor for the purposes of cleaning drains
165 and culverts in the town of Saugus; provided further, that not less than \$1,000,000 shall be
166 expended for shoreline and park restoration at Blessing of the Bay park in the city of Somerville;
167 provided further, that not less than \$75,000 shall be expended for salt-tolerant plantings in East

168 Boston waterfront parks in the city of Boston; provided further, that not less than \$1,000,000
169 shall be expended for repair of the Fisherman beach boat house, beach pier, outfall and launching
170 ramp in the town of Swampscott; provided further, that not less than \$50,000 shall be expended
171 for the purpose of the restoration of dunes and sediment containment at Blish Point in the town
172 of Barnstable; and provided further, that \$15,000,000 shall be expended for the hydraulic
173 modeling, analysis and evaluation of flooding vulnerabilities and the design, permitting and
174 construction of upgrades to coastal infrastructure to mitigate coastal flooding in the town of
175 Winthrop, including, but not limited to, seawall construction and repair, upgrades and
176 improvements to flood drainage infrastructure and increasing flood storage
177\$66,000,000

178 2000-7074 For the design, construction, reconstruction, rehabilitation, retrofitting,
179 repair or removal of municipally owned dams, publicly owned dams and other dams for which
180 emergency action or statewide hazard mitigation is required and for inland flood control projects
181 and projects for any related facilities and equipment, including, but not limited to, seawalls,
182 jetties, revetments, and retaining walls, beach nourishment and other nature-based solutions on
183 publicly owned land or related to state or municipal climate change adaptation and preparedness
184 or for which emergency action or statewide hazard mitigation is required; provided, that the
185 secretary of energy and environmental affairs shall give priority to dams and flood control
186 projects that pose the greatest risk to public health or safety, or to the environment; provided
187 further, that funds shall be available for a program of planning, permitting and construction of
188 fish ways and other aquatic habitat improvements, including the removal or breaching of selected
189 dams and impoundments on state-owned land and waterways; provided further, that the
190 secretary may provide guidance for planning, prioritization, selection and implementation of

191 projects in furtherance of the goals of climate change mitigation and adaptation and consistent
192 with the integrated state hazard mitigation and climate change adaptation plan; provided further,
193 that not less than \$1,000,000 shall be expended for renovations and repairs to the Allen Pond
194 Dam in the Town of Walpole; provided further, that not less than \$1,000,000 shall be expended
195 for renovations and repairs to the Colburn Dam in the City of Leominster; provided further, that
196 not less than \$1,000,000 shall be expended for improvements to the Armory Street section of
197 Van Horn dam in the city of Springfield; provided further, that not less than \$1,000,000 shall be
198 expended for renovations and repairs to the Tileston and Hollingsworth Dam located in the Hyde
199 Park section of the city of Boston; provided further, that not less than \$200,000 shall be
200 expended for repairs to the Williamsville Pond Dam in the town of Hubbardston; provided
201 further, that not less than \$400,000 shall be expended for the engineering and construction costs
202 for the restoration of the Herring Run retaining walls in the town of Brewster; provided further,
203 that not less than \$1,000,000 shall be expended for renovations and repairs to the Reservoir Pond
204 Dam, located on Pleasant Street in the town of Canton; and provided further, that projects shall
205 be considered in consultation with the municipality hosting the asset to be repaired and those
206 municipalities impacted by the project.....\$75,000,000

207 2000-7075 For the acquisition of land and interests in land by the executive office of
208 energy and environmental affairs and its departments and divisions and for associated costs,
209 including planning, study, due diligence, title and appraisal services, site restoration, monitoring
210 and stewardship, including, but not limited to, acquisitions for open space, recreation,
211 conservation, wildlife and endangered species protection, and forest land protection, for related
212 costs and activities in support of conservation goals, including, but not limited to, capitalization
213 of the Transfer of Development Rights Revolving Fund established under section 35HHH of

214 chapter 10 of the General Laws; provided, that funds under this item may be used to develop and
215 implement a stewardship program on lands under the care and control of the executive office or
216 its departments and divisions or subject to conservation restrictions or other related interests in
217 land purchased through this item, including, but not limited to, resource and land use monitoring,
218 signage, boundary delineation and monitoring, preparation of baseline documentation,
219 stewardship planning, ecological monitoring and enforcement of conservation or other related
220 restrictions or detection and resolution of encroachments on land and rights in land, and repair of
221 damage to property related to illegal uses, including off-road vehicle trespass; provided further,
222 that funds may be used for inventory, restoration and reclamation of acquired land, including
223 demolition of structures, removal of debris, eradication of non-native species and other services
224 essential to these reclamation efforts; provided further, that the secretary of energy and
225 environmental affairs may provide guidance for preservation, maintenance, and acquisition of
226 land and interests in land in furtherance of the goals of climate change mitigation and adaptation
227 and consistent with the integrated state hazard mitigation and climate change adaptation plan and
228 may expend funds under this item for such purposes; provided further, that not less than
229 \$1,000,000 shall be expended for the acquisition of an old rail bed for the extension of the Bruce
230 Freeman Trail into Framingham; and provided further, that projects shall be considered in
231 consultation with the municipality hosting the asset to be repaired and those municipalities
232 impacted by the project.....\$12,000,000

233 Department of Environmental Protection

234 2200-7022 For investment in water and air quality protection, including but not
235 limited to investments necessary to meet the legislative and regulatory requirements of the
236 Rivers Protection Act, the federal and state Clean Water Acts and the Massachusetts Wetlands

237 Protection Act; to provide for integrated energy and environmental projects to optimize and
238 preserve environmental quality and public health and provide for appropriate protection,
239 restoration, management and best use of air, energy, water and land resources, assets and
240 infrastructure, including upgrades to laboratory equipment; to provide for research, studies and
241 the collection of data to support investment in environmental assets, including sampling and
242 analysis of water and air quality, monitoring cumulative environmental impacts in environmental
243 justice communities, the development of geographic information system maps for wetlands
244 conservancy and tidelands, stormwater infrastructure and public water supplies, the development
245 of water quality analyses known as total maximum daily loads, the assessment of water quality
246 health and impaired use of waterways, and projects related to nonpoint and point sources of
247 water pollution and the wetlands circuit rider program; to provide for local grants and research
248 for implementation of the commonwealth's sustainable water management initiative, including
249 grants and research to provide the data necessary for municipalities to invest in efficient and
250 effective mitigation practices to restore and preserve the commonwealth's water resources, assets
251 and infrastructure; to provide for sustainable water management initiative related research and
252 implementation projects conducted by the department of fish and game and its divisions; to
253 provide for the department's statewide air monitoring network, upgrades of air monitoring
254 equipment to comply with federal requirements, implementation of a water quality monitoring
255 network and eelgrass mapping to track water quality improvements; to provide for investments
256 in water quality restoration of degraded estuarine habitat for projects deemed consistent with a
257 current area-wide water resources management plan adopted under section 208 of the federal
258 Clean Water Act; to fund pilot projects that test innovative and green wastewater management
259 technologies and approaches; for sustainable technologies at wastewater treatment facilities; for

260 long-term monitoring and stewardship of restoration projects developed under the oversight of
261 natural resources damages trustees; to provide grants and technical assistance to public water
262 suppliers for energy efficiency improvements for drinking water systems; to provide for
263 municipal grants for water and air quality protection, including to support training and workforce
264 development for drinking water and wastewater treatment facilities; to support the preparation
265 and implementation of geographic response plans for the commonwealth's inland waterways;
266 and to provide grants to municipalities to support compliance with the federal Municipal
267 Separate Storm Sewer System permit; provided, that the secretary of energy and environmental
268 affairs may provide guidance for planning, prioritization, selection and implementation of
269 projects in furtherance of the goals of climate change mitigation and adaptation and consistent
270 with the integrated state hazard mitigation and climate change adaptation plan; provided further,
271 that no less than \$250,000 shall be expended for the Nash Road Water Quality Improvement
272 project in the city of New Bedford for the weed eradication, mitigation of storm water impacts,
273 and refurbishment of frontage at Nash road pond; provided further, that no less than \$550,000
274 shall be expended for the Lake Street Ponds Water Quality Improvement project located in the
275 town of Acushnet, part of the New Bedford reservoir system, for area specific evaluation,
276 nitrogen mitigation, evaluation of storm water impacts, and weed eradication; provided further
277 that not less than \$1,000,000 shall be expended for water quality treatment and natural resource
278 area improvements and enhancements in the town of Medway; provided further, that not less
279 than \$150,000 shall be expended for weed eradication on Lake Singletary in the towns of Sutton
280 and Millbury; provided further, that not less than \$100,000 shall be expended for the removal of
281 the pump house at the Lower Mill Pond in the city of Easthampton; provided further, that for
282 municipalities in the Buzzards Bay embayment, not less than \$2,000,000 shall be expended for

283 wastewater treatment upgrades or resiliency enhancements to associated lagoon treatment
284 systems; provided further, that no less than \$500,000 shall be expended for the design and
285 construction of the Southeastern Massachusetts Bioreserve Education and Discovery Center;
286 provided further that not less than \$500,000 be expended for the restoration of the Miles River
287 which runs through the Towns of Hamilton, Ipswich, Wenham and the City of Beverly; provided
288 further that not less \$775,000 be expended for the replacement of the Town Wharf Sewer
289 Pumping Station in the Town of Ipswich; provided further that not less than \$480,000 be
290 expended for improvements to culverts along Topsfield Road in the Town of Wenham; provided
291 further that not less than \$250,000 be expended for environmental abatement of soil
292 contamination and asbestos removal at the Town Hall in the Town of Topsfield; provided
293 further, that not less than \$1,000,000 shall be expended for planning and engineering costs
294 related to the DHY Clean Waters Community Partnership, an inter-municipal partnership
295 between the towns of Dennis, Harwich, and Yarmouth, toward the reduction of nitrogen and
296 improvement of water quality in the Bass River watershed and associated waterways; provided
297 further, that not less than \$1,000,000 shall be expended for the Long Pond Water Quality and
298 Invasive Weed Management project, located in the towns of Freetown and Lakeville, for support
299 of an integrated, early detection and rapid response system for invasive species and completion
300 of a strategic management plan for invasive species; provided further, that not less than
301 \$1,000,000 shall be expended for storm surge protection, drainage and sewer infrastructure
302 upgrades and stormwater retention in the city of Newburyport; provided further, that not less
303 than \$2,000,000 shall be expended for the purposes of evaluating the efficacy of adaptive
304 management measures to reduce nitrogen pollution of coastal waterways undertaken pursuant to
305 an approved area-wide water quality plan, to fund the Center for Coastal Studies to monitor and

306 report on the water quality of areas subject to said study and to support further assessment and
307 water quality modeling to further refine said study; provided further, that not less than
308 \$1,000,000 shall be expended for the planning, design, construction, and any other associated
309 costs for drainage improvements along Route 9 adjacent to Boulder Brook and Morses Pond in
310 the town of Wellesley; provided further, that not less than \$2,000,000 shall be expended for
311 drinking water treatment in the town of Holliston; provided further, that not less than \$125,000
312 shall be expended to reduce the risk of wetland contamination from the Flint Road Landfill in the
313 town of Charlton; and provided further, that \$5,000,000 shall be expended for repairs and other
314 related improvements to culverts along Route 57 in the towns of Sandisfield, Monterey, and New
315 Marlborough.....\$109,000,000

316 2200-7024 For discovery, assessment, containment, monitoring, cleanup and closure
317 of existing or closed solid waste facilities causing or threatening to cause pollution as authorized
318 by section 4 of chapter 21H of the General Laws; and for capital expenditure associated with
319 composting and recycling programs consistent with the comprehensive statewide solid waste
320 master plan authorized by section 21 of chapter 16 of the General Laws; provided, that not less
321 than \$400,000 shall be expended to repair town-owned property at Lead Mills in the town of
322 Marblehead to prevent erosion of a landfill cap.....\$7,500,000

323 2200-7016 For the assessment, containment, monitoring, cleanup, control, removal of
324 or response actions concerning oil or hazardous materials or for any other actions necessary to
325 implement chapter 21E of the General Laws and the Massachusetts Contingency Plan; provided,
326 that not less than \$1,000,000 shall be expended for the removal of hazardous materials and
327 drainage improvements to the old Dalton High School site in the town of Dalton; and provided
328 further, that no less than \$1,000,000 shall be expended for the remediation, restoration and

329 removal of hazardous materials at the old New England Log Homes site in the town of Great
330 Barrington.....\$40,000,000

331 Department of Fish and Game

332 2300-0421 For the acquisition of land and interests in land by the department of fish
333 and game and for associated costs, including planning, studies, due diligence, title and appraisal
334 services, site restoration and stewardship; provided further, that such lands may be purchased
335 after approval by the commissioner of fish and game; provided further, that funds may be
336 expended on the development and implementation of a stewardship program on lands under the
337 care and control of the department of fish and game and its divisions, either in rights in land or
338 through conservation easements or conservation restrictions including, but not limited to,
339 resource and land use monitoring, baseline documentation report creation, signage, boundary
340 marking and monitoring, stewardship planning, stewardship personnel, stewardship database
341 development, ecological monitoring and enforcement of conservation easements or conservation
342 restrictions or detection and resolution of encroachments on land owned and rights in land and
343 repair of damage related to illegal off-road vehicle trespass; provided further, that funds may be
344 used for inventory, restoration and reclamation of acquired land, including demolition of
345 structures, removal of debris, eradication of nonnative species and other services essential to
346 these reclamation efforts; and provided further, that projects under such program may be carried
347 out with other governmental agencies and entities, nonprofit and conservation organizations and
348 public and private land owners.....\$30,000,000

349 2300-7019 For planning, design, engineering, construction, reconstruction,
350 renovation, repair, demolition, acquisition, enhancements, improvements, removal and

351 replacement of the infrastructure, facilities and equipment under the care and control of the
352 department of fish and game and its divisions, including, but not limited to buildings and other
353 structures, education centers, district headquarters, hatchery facilities, offices, storage buildings,
354 shooting ranges, archery facilities, dams, laboratories, equipment, vehicles, vessels, and site
355 clearance; provided, that any such facilities supported by this item may incorporate energy
356 efficiency and renewable technologies to decrease energy use and greenhouse gas emissions,
357 such as solar, wind and geothermal power; provided further, that funds shall also be available for
358 investments for protection, remediation and restoration of aquatic and marine fisheries, wildlife
359 species, land and marine plants, and the habitats that support them; provided further, that the
360 secretary of energy and environmental affairs may provide guidance for planning, prioritization,
361 selection and implementation of projects in furtherance of the goals of climate change mitigation
362 and adaptation and consistent with the integrated state hazard mitigation and climate change
363 adaptation plan; provided further, that \$25,000 shall be expended to conduct a feasibility study
364 on the eradication of zebra mussels at Laurel lake in the town of Lee; provided further, that not
365 less than \$250,000 shall be expended for the demolition of the boat ramp at Lakeside Avenue on
366 Lake Char-gogg-a-gogg-man-chaugg-a-gogg-chau-bun-a-gung-a-maugg in the town of Webster,
367 and for the conversion of the property and parking area into a public recreational park and
368 provided further, \$800,000 shall be expended for the reconstruction, improvements, and
369 accessibility to the boat ramp, parking lot, and shorefishing facility at Laurel lake in the town of
370 Lee.....\$50,000,000

371 2300-7022 For river and wetland restoration programs in the division of ecological
372 restoration, riverways program and the commissioner’s office within the department of fish and
373 game; provided, that funds authorized in this item may be utilized for river, wetland and river

374 corridor revitalization, ecological restoration and protection of aquatic ecosystems and functions
375 throughout the commonwealth including, but not limited to, dam and barrier removal, instream
376 improvements, flow, water quality, riverine habitat, protection of high quality riparian and
377 wetland habitat, assessment and mitigation of threats from climate change, flooding and
378 improving recreational opportunities; provided further, that these costs may include, but shall not
379 be limited to, equipment to implement these programs; provided further, that the commissioner
380 or a designee may enter into cooperative agreements with state and federal government agencies
381 and municipalities, may contract for services related to this item including, but not limited to,
382 engineering and monitoring, and may award grants to public and nonpublic entities to foster and
383 carry out this item; provided further, that not less than \$30,000 shall be expended for drainage
384 improvements needed to protect the Goldthwait Reservation Salt Marsh in the town of
385 Marblehead\$55,000,000

386 Department of Agricultural Resources

387 2500-7021 For the purpose of developing and implementing programs designed to
388 address agricultural economic and environmental sustainability, including the development and
389 implementation of farm viability plans and other technical and engineering assistance, urban
390 agriculture, research, industry promotion, technology transfer and education and to facilitate
391 improvements to agricultural infrastructure, energy conservation and efficiency, and climate
392 change adaptation and resiliency; provided further, that \$4,000,000 shall be expended on
393 programs to promote urban agriculture, including, grants to municipalities and nonprofit
394 organizations to acquire land for urban agriculture and for related infrastructure, equipment and
395 technical assistance, subject to the requirement that such expenditures benefit recipient
396 communities by promoting community, access to locally grown food, job creation, small

397 business development, agricultural training and youth development; provided further, that funds
398 shall be available to provide for short-term land covenants; provided further, that a grant
399 program shall be established to provide grants to public and nonpublic entities for the
400 development and implementation of new procedures for energy conservation and efficiency and
401 for renewable and alternative energy sources to assist the agricultural community to grow and
402 develop; provided further, funds shall be available for a program to assist in the preservation and
403 rehabilitation of facilities and land resources of agricultural fairs through short-term preservation
404 covenants, grants, demonstration projects and other means; provided further, that funds in this
405 item may be expended for infrastructure and equipment upgrades to prevent or reduce food
406 safety risk, programs to control invasive species and provide pesticide disposal; provided further,
407 that funds in this item may be expended for the agricultural environmental enhancement program
408 on the abatement of all forms of pollution generated from agricultural activities; provided
409 further, that funds in this item may be allocated by the commissioner through competitive grants
410 pursuant to rules or regulations adopted by the commissioner to implement this item; provided
411 further, that \$5,000,000 be expended for the purposes of the University of Massachusetts
412 Cranberry Station at East Wareham section of the town of Wareham for the design, construction,
413 retrofitting and outfitting of enhanced laboratory space, including associated equipment and
414 support to improve research performed by the station dealing with concerns including, but not
415 limited to (i) water quality and quantity; (ii) integrated pest management; and (iii) pollinator
416 health and minimization of nutrient and pesticide use with the goal to reduce environmental
417 impacts and to enhance the sustainability of cranberry production in the commonwealth;
418 provided further, that no less than \$50,000 shall be expended for the development and support of
419 Farmer's Markets; provided further, that not less than \$1,000,000 shall be expended for the

420 establishment of a Massachusetts center for clean energy innovation at the University of
421 Massachusetts at Lowell to provide a platform for evaluating technologies, bolstering new
422 companies and fostering cutting-edge research; provided further, that not less than \$1,000,000
423 shall be expended for the establishment of an energy storage innovation institute at the
424 Massachusetts Clean Energy Center to promote energy storage innovation in the commonwealth;
425 provided further, that not less than \$500,000 shall be expended for research and pre-
426 commercialization activities to develop electrolyte and separator materials that have the potential
427 to dramatically reduce the cost of liquid flow batteries; provided that \$500,000 shall be expended
428 for projects at the Institute for Applied Life Sciences at the University of Massachusetts
429 Amherst; provided further, that such funds may be carried over from year to year with
430 subsequent appropriations; and provided further, that use of such funds shall be done with the
431 advice and consent of the advisory board of the Cranberry Health Research Center at the
432 University of Massachusetts.....\$54,000,000

433 2511-0122 For a program to acquire agricultural preservation restrictions under
434 sections 23 to 26, inclusive, of chapter 20 of the General Laws; provided, that any person or
435 entity that receives funds from this item shall be encouraged to participate in any programs of the
436 department of agricultural resources that may be suggested by the commissioner of agricultural
437 resources; provided further, that funds may be used to develop a statewide farmland plan;
438 provided further, that funds may be used for the implementation of a stewardship program on
439 agricultural preservation restriction lands including, but not limited to, resource and land use
440 monitoring, boundary delineation and monitoring, stewardship planning, ecological monitoring
441 and enforcement of agricultural preservation restrictions on existing and newly acquired
442 agricultural preservation restriction properties and the creation of new opportunities that seek to

443 enhance the sustainability and viability of such properties; and provided further, that funds may
444 be used to develop a statewide farmland plan\$20,000,000

445 Department of Conservation and Recreation

446 2000-7079 For natural resource restoration and protection and in compliance with
447 laws and regulations, and for purposes of improvements and costs associated with site
448 assessment, containment, cleanup, control, disposal, removal or exchange of or response actions
449 concerning hazardous materials or substances; provided further, that not less than \$200,000 shall
450 be expended to delead and repaint the bridge on Cliff Road over the railroad tracks in the town of
451 Wellesley; provided further, that not less than \$5,000,000 shall be expended for abatement,
452 demolition and restoration of the Strathmore property on the Connecticut River in the town of
453 Montague\$75,500,000

454 2800-1121 For the acquisition of land and interests in land by the department of
455 conservation and recreation and for associated costs, including planning, study, due diligence,
456 title and appraisal services, site restoration and stewardship, including but not limited to, coastal
457 land acquisition and securing of access to protected coastal lands, and lands to provide for the
458 inland movement of coastal habitats; provided, that funds may be used for development and
459 implementation of a stewardship program on lands under the care and control of the department
460 including, but not limited to, resource and land use monitoring, signage, boundary delineation
461 and monitoring, preparation of baseline documentation, stewardship planning, ecological
462 monitoring and enforcement of conservation restrictions or detection and resolution of
463 encroachments on land owned and rights in land and repair of damage to property related to
464 illegal uses, including off-road vehicle trespass; and provided further, that funds may be used for

465 inventory, restoration and reclamation of acquired land, including demolition of structures,
466 removal of debris, eradication of non-native species and other services essential to these
467 reclamation efforts.....\$40,000,000

468 2800-7020 For natural resource restoration and protection, including protection and
469 rehabilitation of lakes, ponds, rivers and streams and associated watersheds, and for
470 improvements and costs associated with site assessment, containment, cleanup, control, removal
471 of or response actions concerning hazardous materials or substances at forests, parks,
472 reservations, waterbodies and other properties of the department of conservation and recreation;
473 provided, that the secretary of energy and environmental affairs may provide guidance for
474 planning, prioritization, selection and implementation of projects in furtherance of the goals of
475 climate change mitigation and adaptation and consistent with the integrated state hazard
476 mitigation and climate change adaptation plan; provided further that not less than \$1,000,000
477 shall be expended for the protection and maintenance of the Herring Run to Whitman’s Pond,
478 located in the city known as the town of Weymouth\$20,000,000

479 2800-7014 For the design, construction, reconstruction, improvement or rehabilitation
480 of department or navigable coastal and inland waterways projects including, but not limited to,
481 design, permitting, operation, maintenance of waterways, operation and maintenance of state
482 piers, coastal protection, dredging, river and stream cleaning, coastal structure maintenance,
483 piers, dune stabilization, culvert repair, renourishment, erosion control, and implementing
484 nature-based solutions, waterfront access and transportation improvements and improvements to
485 related facilities and equipment; provided, that funds from this item may be expended to support
486 state coordination with a cooperative federal-state program with the United States Geological
487 Survey in the federal Department of Interior, for continuous data collection and analysis

488 regarding water resources; and provided further, that the secretary of energy and environmental
489 affairs may provide guidance for planning, prioritization, selection and implementation of
490 projects in furtherance of the goals of climate change mitigation and adaptation and consistent
491 with the integrated state hazard mitigation and climate change adaptation plan; provided further,
492 that not less than \$1,000,000 shall be expended to the town of Pembroke for costs associated
493 with dredging; provided further, that not less than \$2,000,000 shall be expended to the city of
494 Beverly for costs associated with dredging of the Bass River; provided further, that not less than
495 \$798,000 shall be expended to the city of Melrose for costs associated with dredging First Pond
496 in Melrose; provided further, than not less than \$500,000 shall be expended for the dredging of
497 the Back River in the area of the Weymouth Back River boat launch facility; provided further,
498 that not less than \$1,000,000 shall be expended for the purpose of dredging Indian Lake in
499 Worcester; provided further, that not less than \$1,000,000 shall be expended for improvements to
500 the Sword Street culverts in the town of Auburn; provided further, that not less than \$100,000
501 shall be expended to the city of Haverhill in partnership with the Greater Haverhill Foundation
502 for costs related to removing an impediment in the Rocks Village area of the Merrimack River;
503 provided further, that not less than \$2,000,000 shall be expended for the dredging of Squantum
504 and Wollaston Yacht Club emergency boat access in Wollaston Beach in the city of Quincy;
505 provided further, that not less than \$400,000 shall be expended to reconstruct the boat launch
506 ramp at Pontoosuc Lake; and provided further that \$2,500,000 shall be expended for repairs to
507 the Sales creek culvert and related improvements in the city of
508 Revere.....\$33,000,000

509 2800-7025 For the design, construction, reconstruction, rehabilitation, retrofitting,
510 repair or removal of state-owned dams for which emergency action or statewide hazard

511 mitigation is required and for inland flood control projects and projects for any related facilities
512 and equipment, including, but not limited to, seawalls, jetties, revetments, and retaining walls,
513 with equal consideration given to beach nourishment and nature-based solutions on state-owned
514 land or related to state climate change adaptation and preparedness or for which emergency
515 action or statewide hazard mitigation is required; provided, that the department of conservation
516 and recreation shall give priority to dams and flood control projects that pose the greatest risk to
517 public health or safety, or to the environment; provided further, that funds shall be available for a
518 program of planning, permitting and construction of fish ways and other aquatic habitat
519 improvements, including the removal or breaching of selected dams and impoundments on state-
520 owned land and waterways; provided, that such projects shall include those which maintain or
521 improve coastal access; provided further, that not less than \$5,000,000 shall be expended to
522 purchase and install a fourth pump at the Amelia Earhart Dam in the city of Somerville; and
523 provided further, that the secretary of energy and environmental affairs may provide guidance for
524 planning, prioritization, selection and implementation of projects in furtherance of the goals of
525 climate change mitigation and adaptation and consistent with the integrated state hazard
526 mitigation and climate change adaptation
527 plan.....\$105,000,000

528 2840-7025 For the planning, design, construction, reconstruction, repair, removal,
529 demolition, improvement, furnishing, equipping or rehabilitation of department reservations,
530 forests, parks, campgrounds, comfort stations, harbor islands, skating rinks, skate parks,
531 swimming and wading pools, spray parks, golf courses, tennis courts, basketball courts, ball
532 fields, playgrounds, exercise and fitness paths, tracks, other recreational facilities, historic sites,
533 beaches and related facilities, storage buildings, office buildings, visitor centers, fire towers,

534 maintenance facilities and other park buildings and structures, and equipment, including
535 upgrades to information technology equipment to be considered in consultation with the
536 secretary of technology services and security, and for the planning, design, acquisition,
537 construction, reconstruction, repair, removal, improvement or rehabilitation of department bike
538 paths, greenways, recreational trails and related facilities and equipment; provided, that the
539 secretary of energy and environmental affairs may provide guidance for planning, prioritization,
540 selection and implementation of projects in furtherance of the goals of climate change mitigation
541 and adaptation and consistent with the integrated state hazard mitigation and climate change
542 adaptation plan; provided further, that the department of conservation and recreation may expend
543 funds in this item for technical assistance and grants to cities and towns in accordance with rules
544 or regulations adopted by the department to implement this item; provided further, that in the
545 expenditure of funds under this item, the commissioner will prioritize public health and safety
546 and capital maintenance needs of commonwealth facilities; provided further, that \$10,000,000
547 shall be expended for repairs and improvements to the Revere beach reservation, including, but
548 not limited to re-nourishment of Revere beach, repairs to any failing seawalls, transportation
549 improvements and restorations to pavilions and period lighting structures; provided further, that
550 \$800,000 shall be expended for planning and infrastructure improvements to mitigate flooding
551 issues in the Riverside, Point of Pines, and Beachmont neighborhoods in the city of Revere;
552 provided further, that \$3,000,000 shall be expended for the construction of the Roslindale
553 Gateway Path; provided further, that \$1,000,000 shall be expended for the planning and
554 construction of a park in the Mildred C. Hailey apartments in the Jamaica Plain neighborhood of
555 Boston; provided further, that not less than \$2,300,000 shall be expended for the construction of
556 the outdoor center, campgrounds, recreational trail system and event parking area at the

557 Greylock Glen in the town of Adams; provided further, that not less than \$1,000,000 shall be
558 expended for the design and construction of improvements to the Southern New England
559 Trunkline Trail in the city known as the town of Franklin; provided further, that not less than
560 \$1,000,000 shall be expended for repairing the membrane of the Gerena tunnel; provided further,
561 that not less than \$750,000 shall be expended for Phase II of the Riverfront Park project in
562 Watertown; provided further, that not less than \$1,200,000 shall be expended for rehabilitation of
563 landscape, pathways, lighting, and vegetation, and restoration of the brick and limestone walls in
564 Lowell Memorial Park in Cambridge; provided further, that not less than \$25,000 shall be
565 expended for repairing the Cronin Playground retaining wall; provided further, that not less than
566 \$1,000,000 shall be expended for the engineering of a shared-use-path along Service Road in the
567 town of Sandwich; provided further, that not less than \$400,000 shall be expended for
568 rehabilitation of playgrounds in the town of Sudbury; provided further, that not less than
569 \$400,000 shall be expended for rehabilitation of playgrounds in the town of Wayland; provided
570 further, that \$500,000 shall be expended for resilience-based projects at Martin’s Park in the city
571 of Boston; provided further, that not less than \$100,000 shall be expended for improvements to
572 Moore State Park in the town of Paxton; provided further, that not less than \$500,000 shall be
573 expended for pond dredging and safety improvements for recreation activities at Highland Park
574 in the city of Greenfield; provided further, that not less than \$1,000,000 shall be expended for
575 improvements, including dredging, landscaping, waterway access, public docks and ramps,
576 parking areas, restrooms, and boardwalk access to Hutchinson Field, to the Milton Landing
577 Waterfront in the town of Milton; provided further, that not less than \$700,000 shall be expended
578 to study and implement the raising of certain athletic assets in the Langone Puopolo Park in city
579 of Boston; provided further, that not less than \$500,000 shall be expended for the design and

580 construction of a visitors and education center for the Freetown State Forest, located in the town
581 of Freetown; provided further, that not less than \$1,000,000 shall be expended for the
582 rehabilitation and improvement of Whitney Pond Dam in the town of Winchendon; provided
583 further, that not less than \$900,000 shall be expended for the development of Omelia Park in the
584 City of Gardner; provided further, that not less than \$100,000 shall be expended for the
585 development of the William J. Bresnahan Scouting and Community Center Inc. in the town of
586 Ashburnham; provided further, that not less than \$1,000,000 shall be expended for repairs,
587 maintenance and improvements of the Leo J. Martin Memorial Golf Course in the town of
588 Weston; provided further, that not less than \$250,000 shall be expended to install lights at the
589 baseball fields located at Aaron Krock Memorial Park in Worcester; provided further, that not
590 less than \$1,000,000 shall be expended for the purpose of making improvements to Goodale Park
591 in the town of West Boylston; provided further, that not less than \$30,000 shall be expended for
592 the relocation of the skate park in the town of Auburn; provided further, that not less than
593 \$1,000,000 shall be expended for design and construction of swimming and recreational facilities
594 in the vicinity of North Point Park in the city of Cambridge and the city of Boston; provided
595 further, that not less than \$1,000,000 shall be expended for the maintenance and improvement to
596 the Town Beach in the town of Sterling; provided further, that not less than \$100,000 shall be
597 expended for improvements to Memorial Park in the town of Reading; provided further, that not
598 less than \$275,000 shall be expended for improvements to Washington Park in the town of
599 Reading; provided further, that not less than \$150,000 shall be expended for improvements at
600 Hunt Park in the town of Reading; provided further, that not less than \$500,000 shall be
601 expended for the design and construction of a new veterans park in the city of Lowell; provided
602 further, that not less than \$175,000 shall be expended for improvements at Symonds Way in the

603 town of Reading; provided further, that not less than \$1,500,000 shall be expended for the
604 cleanup and stabilization of the historic property located at 12 North Main Street in the town of
605 Westford; provided further, that not less than \$250,000 shall be expended for improvements at
606 Sturges Park in the town of Reading; provided further, that not less than \$1,000,000 shall be
607 expended for the public restroom facility at Salisbury Beach in the town of Salisbury; provided
608 further, that not less than \$400,000 shall be expended for renovation of the tot lot, passive areas,
609 and athletic field at the Crawford Street Playground in the city of Boston; provided further, that
610 not less than \$1,000,000 shall be expended for repairs and improvements to Foss Park in the city
611 of Somerville; provided further, that not less than \$1,000,000 shall be expended for Mill Brook
612 Bank Stabilization in the town of Arlington; provided further, that not less than \$300,000 shall
613 be expended for planning and construction of a recreational area at 40-48 Geneva Avenue in the
614 Grove Hall section of Boston; provided further, that not less than \$1,000,000 shall be expended
615 for Mill Brook Culvert and Outfall Repair and Improvement in the town of Arlington; provided
616 further, that not less than \$2,000,000 shall be expended to reopen the historic Blackstone Canal
617 Park in Worcester\$420,000,000

618 2890-7034 For the planning, design, construction, reconstruction, repair,
619 improvement or rehabilitation of department of conservation and recreation parkways,
620 boulevards, multi-use trails, internal state park roads and recreational trails, pedestrian bridges
621 and related appurtenances and equipment including, but not limited to, the costs of planning,
622 design and engineering and other services for those projects rendered by commonwealth
623 employees or by consultants; provided, that funds may be expended for pedestrian and bicycle
624 safety, traffic calming, landscape improvements, street lighting, safety equipment, and
625 accessibility; provided further, that all work funded by this item shall be carried out according to

626 standards developed by the department pursuant to historic parkways preservation treatment
627 guidelines to protect the scenic and historic integrity of the bridges and parkways under its
628 control; provided further, that the secretary of energy and environmental affairs may provide
629 guidance for planning, prioritization, selection and implementation of projects in furtherance of
630 the goals of climate change mitigation and adaptation and consistent with the integrated state
631 hazard mitigation and climate change adaptation plan; provided further, that \$3,000,000 shall be
632 expended for improvements to the intersection of Walter street and Centre street in the
633 Roslindale neighborhood of Boston; provided further, that \$2,000,000 shall be expended for
634 improvements to the Southwest Corridor park in the city of Boston; provided further, that not
635 less than \$150,000 be expended for construction of the multi-use recreational Southern New
636 England Trunkline Trail in the towns of Douglas and Uxbridge; provided further, that not less
637 than \$100,000 shall be granted to the Towns of Dudley and Webster for improvements to the
638 Quinnebaug Rail Trail; provided, further, that \$1,000,000 shall be expended for the feasibility,
639 design, and permitting of the Bourne Rail Trail Shared-Use Path along the Massachusetts
640 Department of Transportation Rail Line Right-of-Way from the existing Shining Sea Bike Path
641 in North Falmouth to the Cape Cod Canal in the town of Bourne; provided further, that not less
642 than \$500,000 shall be expended for improvements to pedestrian and vehicle access, including
643 safety improvements, to the Burma Trail in the town of Milton; provided further, that not less
644 than \$500,000 shall be expended for the survey, design and permitting of the Merrimack River
645 Trail; provided further, that not less than \$500,000 shall be expended for flood and drainage
646 improvements surrounding the Skyline Trail in the town of Hinsdale; provided further, that not
647 less than \$1,000,000 shall be expended on the Upper Charles bike trail in Ashland; provided
648 further, that not less than \$15,000 shall be expended to the town of Millis to replace existing

649 water booster pump station; provided further, that not less than \$2,000,000 shall be expended for
650 the design, acquisition and construction of multipurpose trails in the town of Natick; provided
651 further, that not less than \$50,000 shall be expended for signage and other design efforts along
652 the Weston portion of the Massachusetts Central Rail Trail; provided further, that not less than
653 \$2,000,000 shall be expended on a trail in the City of Framingham dedicated to the memory of
654 former Representative Chris Walsh; provided further, that funds may be used for planning,
655 design, and construction of the trail and any related structures and infrastructure; provided
656 further, that not less than \$400,000 shall be expended for the repair of the Sacarrappa Road
657 Bridge, Bridge No. 0-06-053, in the town of Oxford; and provided further, that no more than
658 \$2,000,000 shall be expended for phase 4 of the Quequechan river rail trail to connect the urban
659 river trail to Father Travassos park in the city of Fall River.....\$160,000,000

660 SECTION 2A.

661 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

662 Office of the Secretary

663 2000-7080 For implementation of the integrated state hazard mitigation and climate
664 change adaptation plan; provided, that the secretary of energy and environmental affairs shall
665 give priority to critical actions and strategies identified in the plan.....\$100,000,000

666 2000-7081 For the municipal vulnerability preparedness grant program to support and
667 provide technical assistance for cities and towns to complete climate-related vulnerability
668 assessments, develop action-oriented resiliency plans, and complete integrated climate change
669 adaptation plans and local hazard mitigation plans; and to implement local and regional
670 adaptation solutions identified through such plans, including changes to policies, bylaws, and

671 plans, municipal infrastructure improvements, nature-based climate adaptation strategies and
 672 repairs to address vulnerability and improve resiliency; and provided further, that not less than
 673 \$5,000,000 shall be expended for the establishment and initial funding of the UMass Fleet
 674 Electrification Grant Program to provide monies and technical assistance to universities in the
 675 University of Massachusetts system for the purpose of implementing innovative transportation
 676 planning and fleet electrification projects.....\$75,000,000

677 2000-7084 To capitalize the Global Warming Solutions Trust Fund established in
 678 section 35GGG of chapter 10 of the General Laws.....\$5,000,000

679 2000-7085 For the climate change science and data program to support the
 680 development and maintenance of data including statewide, basin scale, and other relevant climate
 681 change projections and data, the establishment of datasets to track and monitor ongoing impacts
 682 from climate change, and the maintenance and expansion of the climate change clearinghouse
 683 data and tools available to cities and towns and the regional planning agencies that support them;
 684 provided, that any expenditures for communication and technology equipment under this item
 685 shall be considered in consultation with the secretary of technology services and
 686 security.....\$10,000,000

687 Department of Environmental Protection

688 2200-7019 For the Massachusetts electric vehicle incentive program to provide grants
 689 to public entities to acquire passenger plug-in vehicles for fleets, install charging stations for
 690 public electric vehicles, and promote the establishment of vehicle charging stations; provided
 691 further, that \$5,000,000 shall be expended for the Massachusetts electric vehicle incentive

692 program to provide matching grants to employers to install electric vehicle charging stations at
693 workplaces.....\$9,000,000

694 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

695 Office of the Secretary

696 8000-2007 For the development and support of climate-oriented emergency response
697 and natural hazard preparedness programs and climate change coordination with the executive
698 office of energy and environmental affairs; and provided, that not less than \$500,000 shall be
699 expended to fund a regional hazard mitigation initiative for the towns of Cohasset, Hingham,
700 Hull, and Scituate, which shall include, but not be limited to, coordinating a prioritized regional
701 hazard mitigation plan to improve collective hazard planning, increasing public safety, and
702 streamlining emergency response.....\$6,000,000

703 SECTION 2B.

704 OFFICE OF THE TREASURER AND RECEIVER GENERAL

705 0620-1002 For the Massachusetts Clean Water Trust established in section 2 of
706 chapter 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund
707 established in section 2L of chapter 29 of the General Laws for application by the trust to the
708 purposes specified in section 5 of said chapter 29C, any portion of which may be used as a
709 matching grant by the commonwealth to federal capitalization grants received under Title VI of
710 the federal Clean Water Act or for deposit in the Drinking Water Revolving Fund established in
711 section 2QQ of said chapter 29 for application by the trust to the purposes specified in section 18
712 of said chapter 29C, any portion of which may be used as a matching grant by the

713 commonwealth to federal capitalization grants received under the federal Safe Drinking Water
714 Act.....\$60,333,000

715 SECTION 2C.

716 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

717 Office of the Secretary

718 2000-7064 For a program to be administered by the secretary of energy and
719 environmental affairs to acquire land for the purposes of open space, recreation and
720 conservation, to be protected pursuant to Article 97 of the Amendments to the Constitution,
721 which lands are located near or adjacent to the mean high water mark of coastal areas, on coastal
722 barrier beaches, or in coastal high risk flooding zones and which lands or structures thereon have
723 suffered or are projected to be subject to repeated damage from flooding, storm surges, wave
724 action, or erosion caused by ocean waves or waters, or are otherwise impacted or projected to be
725 impacted catastrophically by extreme weather events, astronomical high tides or elevated sea
726 levels related to climate change, and cause a substantial risk to public health, public safety or the
727 environment; provided that funds may be used to purchase adjoining coastal parcels next to such
728 acquired land or any other Article 97 coastal land to achieve the purposes of this item; provided
729 further, that grants may be made to cities and towns to acquire such coastal lands for the
730 purposes of this item, and may as a condition of any grant require the municipality to hold title to
731 the acquired land jointly with the commonwealth under the terms of the grant; and provided
732 further, that funds from this item shall not be used to compensate land owners for lands taken by
733 eminent domain..... \$20,000,000

734 2000-7077 For the acquisition, development, construction and improvement of parks
735 in urban and suburban neighborhoods currently underserved with parks, and which are consistent
736 with attainment of environmental equity, including community engagement and planning related
737 to these parks; provided, that funds shall be available for the completion of urban forestry and
738 tree planting projects, assessment and remediation of brownfield and grayfield sites intended for
739 reuse as parks, drafting of architectural renderings, construction documents and other technical
740 documents necessary for parks construction, acquisition of land or interests in land, including
741 rail-banked corridors, for the creation of parks pursuant to Article 97 of the Amendments to the
742 Constitution of the Commonwealth and for the construction, rehabilitation and improvement of
743 parks including, but not limited to, all related facilities, landscaping, monuments and features,
744 parking areas and roadways; provided, that the secretary of energy and environmental affairs
745 may issue grants to public and nonpublic entities to implement these projects; provided further,
746 that not less than \$1,000,000 shall be expended for the redevelopment of Green Leaf Park
747 including the master plan which coincides with state and municipal resiliency plans including
748 installation of traffic control signals and other related safety improvements, at the Parker street
749 vehicle entrance to Green leaf Park in the city of Springfield; provided further, that not less than
750 \$1,500,000 shall be expended to improve Forest Park and Blunt Park roadways and to repair
751 Forest Park erosion damage in the city of Springfield; provided further, that not less than
752 \$1,000,000 shall be expended to reopen the access road in Blunt Park between Roosevelt Avenue
753 and Tapley Street in the city of Springfield; provided further, that not less than \$2,000,000 shall
754 be expended to the town of West Springfield for phase II improvements to Mittineague Park; and
755 provided further, that the secretary may provide guidance for planning, prioritization, selection
756 of parks to promote environmental equity and in furtherance of the goals of climate change

757 mitigation and adaptation and consistent with the integrated state hazard mitigation and climate
758 change adaptation plan.....\$60,000,000

759 2000-7078 For investment in trails to include planning, engineering, design,
760 permitting, construction, repair, technical assistance and improvement of trails and the
761 acquisition of property interests for trail purposes; provided, that funds may be granted at the
762 discretion of the secretary of energy and environmental affairs to public and non-public entities
763 including municipalities, regional planning agencies, and non-profit organizations, or expended
764 directly by the executive office of energy and environmental affairs and its departments and
765 division; provided further, that trails are to be broadly defined to include water, recreational,
766 multi-use, and motorized for use by recreational and snow vehicles, and may be paved,
767 improved, natural surface, or on-road for limited distances when necessary to make key
768 connections; provided further that any project funded under this item is to be open to the public;
769 provided further, that wherever practicable property interests acquired are to be permanently
770 conserved such that the trail thereon is permanently accessible to the public, but may be long-
771 term leases where necessary to advance trail projects; provided further, that a match from the
772 funding recipient, which may include in-kind match, may be required at the discretion of the
773 secretary of energy and environmental affairs; provided further, that not less than \$750,000 shall
774 be expended to build or upgrade the woodland trails system in Forest Park, Blunt Park and Van
775 Horn Park; provided further, that not less than \$35,000 shall be expended for parking lot access
776 improvements on Route 47 for the River to Range Trail in the Town of South Hadley; provided
777 further, that not less than \$500,000 shall be expended for the completion of the feasibility study
778 for the Wakefield-Lynnfield Rail Trail in the town of Wakefield and in the town of Lynnfield;
779 provided further, that not less than \$250,000 shall be expended for the completion of a bridge on

780 the Grand Trunk Trail in the town of Brimfield and the connection of the Brimfield trail system
781 with the Sturbridge trail system; and provided further, that funds expended from this item for the
782 cost of employees shall not exceed 5 per cent of funds expended from this item in any fiscal
783 year.....\$25,000,000

784 Department of Conservation and Recreation

785 2800-7023 For a forestry and tree planting program for projects throughout the
786 commonwealth, including, but not limited to, the evaluation and planning of forestry and tree
787 planting projects, tree stock and planting and the care and protection of trees and forests;
788 provided, that the secretary of energy and environmental affairs shall give priority to the planting
789 of trees in areas experiencing heat island effects, underserved with tree cover, affected by severe
790 weather events or insect infestation, in areas where aquifers, recharge areas, wells, reservoirs and
791 other water bodies are located that will improve and protect water quality as part of a natural
792 ecosystem, and in furtherance of environmental equity, climate change mitigation, adaptation
793 and resiliency strategies; provided, that the secretary shall provide guidance for coordination
794 between municipal and utility stakeholders on incorporating utility gas leaks data into planning
795 for street tree planting projects and for testing street tree pits for methane before planting;
796 provided further, that funds from this item may be expended to provide technical assistance and
797 support to landowners to engage in sustainable forest management and long-term conservation
798 practices and to undertake projects and activities to protect the ecological integrity of the
799 commonwealth's forestlands under the forest vision plan; provided further, that \$2,000,000 shall
800 be expended for tree planting in the city of Boston; provided further, that no less than \$50,000
801 shall be expended for the efforts to restore the trees being in the Fenway community of the

802 Emerald necklace; and provided further, that not less than \$300,000 shall be expended to update
803 the tree inventory system in the city of Springfield\$25,000,000

804 SECTION 2D.

805 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

806 6121-1315 For the complete streets program established pursuant to chapter 90I of the
807 General Laws for complete streets grants to municipalities provided , that not less than 33 per
808 cent of the grants awarded shall be issued to cities and towns with a median household income
809 below the average of the commonwealth; provided, that not less than \$3,000,000 shall be
810 expended for the reconstruction of Turnpike Street in the Town of Stoughton to combat roadway
811 settlement caused by of a vast depth of decomposing subsurface material; provided further, that
812 not less than \$2,000,000 shall be expended to elevate Main Street in the Charlestown
813 neighborhood in the city of Boston; provided further, that not less than \$166,000 shall be
814 expended to repair damage to the Ferry Lane Parking Lot in the town of Marblehead caused by
815 undermining from winter storms; and provided further, that no more than \$200,000 shall be
816 expended for the repair and construction to eliminate the excessive drainage where the Route 24
817 northbound exit 8A abuts the Fall River Industrial Park in the city of Fall
818 River;.....\$55,000,000

819 6121-1715 For projects on the interstate and non-interstate federal highway system;
820 provided, that funds may be expended for the costs of these projects including, but not limited to
821 the non-participating portions of these projects and the costs of engineering and other services
822 essential to these projects; provided further, that notwithstanding this act or any other general or
823 special law to the contrary, the department shall not enter into any obligations for projects which

824 are eligible to receive federal funds under this act unless state matching funds exist which have
825 been specifically authorized and are sufficient to fully fund the corresponding state portion of the
826 federal commitment to fund these obligations; and provided, further, that the department shall
827 only enter into obligations for projects under this act based upon a prior or anticipated future
828 commitment of federal funds and the availability of corresponding state funding authorized and
829 appropriated for this use by the general court for the class and category of project for which this
830 obligation applies..... \$992,000,000

831 SECTION 3. To meet the expenditures necessary in carrying out section 2, the state
832 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
833 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
834 \$1,574,500,000. All such bonds issued by the commonwealth shall be designated on their face,
835 Environmental Loan Act of 2018, and shall be issued for a maximum term of years, not
836 exceeding 20 years, as the governor may recommend to the general court under section 3 of
837 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
838 June 30, 2043. All interest and payments on account of principal on these obligations shall be
839 payable from the General Fund. Bonds and interest thereon issued under this section shall,
840 notwithstanding any other provision of this act, be general obligations of the commonwealth.

841 SECTION 4. To meet the expenditures necessary in carrying out section 2A, the state
842 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
843 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
844 \$205,000,000. All such bonds issued by the commonwealth shall be designated on their face,
845 Climate Change Preparedness Loan Act of 2018, and shall be issued for a maximum term of

846 years, not exceeding 20 years, as the governor may recommend to the general court under
847 section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not
848 later than June 30, 2043. All interest and payments on account of principal on these obligations
849 shall be payable from the General Fund. Bonds and interest thereon issued under this section
850 shall, notwithstanding any other provision of this act, be general obligations of the
851 commonwealth.

852 SECTION 5. To meet the expenditures necessary in carrying out section 2B, the state
853 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
854 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
855 \$60,333,000. All such bonds issued by the commonwealth shall be designated on their face,
856 Clean Water Loan Act of 2018, and shall be issued for a maximum term of years, not exceeding
857 20 years, as the governor may recommend to the general court under section 3 of Article LXII of
858 the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2043.
859 All interest and payments on account of principal on these obligations shall be payable from the
860 General Fund. Bonds and interest thereon issued under this section shall, notwithstanding any
861 other provision of this act, be general obligations of the commonwealth.

862 SECTION 6. To meet the expenditures necessary in carrying out section 2C, the state
863 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
864 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
865 \$130,000,000. All such bonds issued by the commonwealth shall be designated on their face,
866 Commonwealth 21st Century Parks and Trails Act of 2018, and shall be issued for a maximum
867 term of years, not exceeding 20 years, as the governor may recommend to the general court
868 under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be

869 payable not later than June 30, 2043. All interest and payments on account of principal on these
870 obligations shall be payable from the General Fund. Bonds and interest thereon issued under this
871 section shall, notwithstanding any other provision of this act, be general obligations of the
872 commonwealth.

873 SECTION 7. To meet the expenditures necessary in carrying out section 2D, the state
874 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
875 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
876 \$233,500,000. All such bonds issued by the commonwealth shall be designated on their face,
877 Highway and Streets Projects Act of 2018, and shall be issued for a maximum term of years, not
878 exceeding 10 years, as the governor may recommend to the general court under section 3 of
879 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
880 June 30, 2033. All interest and payments on account of principal on these obligations shall be
881 payable from the General Fund. Bonds and interest thereon issued under this section shall,
882 notwithstanding any other provision of this act, be general obligations of the commonwealth.

883 SECTION 8. Chapter 10 of the General Laws is hereby amended by inserting after
884 section 35FFF, inserted by section 1 of chapter 91 of the acts of 2018, the following 2 sections:-

885 Section 35GGG. (a) There shall be established upon the books of the commonwealth a
886 separate fund to be known as the Global Warming Solutions Trust Fund into which shall be
887 deposited: (i) any revenues or other financing sources directed to the fund by appropriation; (ii)
888 bond revenues or other monies authorized by the general court and specifically designated to be
889 credited to the fund; (iii) any income derived from the investment of amounts credited to the
890 fund or repayment of loans from the fund; (iv) funds from public or private sources, including,

891 but not limited to, gifts, federal or private grants, donations, rebates and settlements received by
892 the commonwealth that are specifically designated to be credited to the fund; and (v) all other
893 amounts credited or transferred into the fund from any other source. The fund shall be
894 administered by the secretary of energy and environmental affairs.

895 (b) Amounts credited to the fund may be used, without further appropriation, to provide
896 grants or loans to governmental, quasi-governmental or non-profit entities for costs incurred in
897 relation to implementation of the Global Warming Solutions Act, chapter 298 of the acts of
898 2008, as subsequently amended; the Clean Energy and Climate Plan published by the executive
899 office of energy and environmental affairs, as subsequently amended; and other state and local
900 strategies for climate change mitigation and adaptation. Such expenditures may include, but are
901 not limited to: (i) payment of costs associated with planning, monitoring, and managing carbon
902 reduction measures; (ii) development and deployment of mitigation strategies and best practices
903 to reduce carbon emissions; (iii) planning, monitoring and managing strategies to adapt to and
904 prepare for the impacts of climate change; (iv) priority adaptation projects with potential co-
905 benefits for climate change mitigation, environmental protection, public health, or other factors,
906 as determined by the secretary of energy and environmental affairs; and (v) pilot projects for new
907 technologies or strategies to support carbon emission reductions. The amounts expended from
908 the fund during any fiscal year for the costs of employees shall not exceed 5 per cent of total
909 funds expended from the fund in that fiscal year. Monies deposited into the fund that are
910 unexpended at the end of the fiscal year shall not revert to the General Fund and shall be
911 available for expenditure in the subsequent fiscal year.

912 Section 35HHH. (a) There shall be established and set up on the books of the
913 commonwealth a separate fund to be known as the Transfer of Development Rights Revolving

914 Fund into which shall be deposited: (i) any revenues or other financing sources directed to the
915 fund by appropriation; (ii) bond revenues or other monies authorized by the general court and
916 specifically designated to be credited to the fund; (iii) any income derived from the investment of
917 amounts credited to the fund or repayment of loans from the fund; (iv) funds from public or
918 private sources, including, but not limited to, gifts, federal or private grants, donations, rebates
919 and settlements received by the commonwealth that are specifically designated to be credited to
920 the fund; and (v) all other amounts credited or transferred into the fund from any other source.
921 The fund shall be administered by the secretary of energy and environmental affairs.

922 (b) Amounts credited to the fund may be used, without further appropriation, to provide
923 loans to municipalities for the acquisition of transferable development rights as provided in
924 section 27 of chapter 21A. Monies deposited into the fund that are unexpended at the end of the
925 fiscal year shall not revert to the General Fund and shall be available for expenditure in the
926 subsequent fiscal year.

927 SECTION 9. Section 10H of chapter 21A of the General Laws, as appearing in the 2016
928 Official Edition, is hereby amended by striking out the sixth, seventh and eighth paragraphs, and
929 inserting in place thereof the following 4 paragraphs:-

930 A person notified to appear before the clerk of a district court, as provided in said section
931 10G, for any violation of section 17A, 18, 19, 30, 31, 33, 34, 35, 36, 51, 51A, 66, 69, 70, 71, 72,
932 100C or 102 of chapter 130 may so appear within the time specified and pay a fine of \$100.

933 A person notified to appear before the clerk of a district court, as provided in said section
934 10G, for any violation of section 13, 17, 21, 29, 37, 38, 38A, 39, 40, 41, 41A, 44, 44A, 44B, 47,

935 49, 80, 81, 82, 92, 100A, 100B or 106 of chapter 130 may so appear within the time specified
936 and pay a fine of \$200.

937 A person notified to appear before the clerk of a district court, as provided in said section
938 10G, for any violation of section 23, 25, 67, 68, 75, 95 or 100D of chapter 130 may so appear
939 within the time specified and pay a fine of \$400.

940 A person notified to appear before the clerk of a district court, as provided in said section
941 10G, for any violation of section 17, 17A, 34, 35, 37, 40, 41, 41A, 44, 44A, 44B, 95, 100A,
942 100B or 100C of chapter 130 may so appear within the time specified and pay, in addition to the
943 applicable base fine specified in this section for a violation of any of the sections listed above, a
944 supplemental fine of \$10 per fish for a violation of each said section. For the purpose of this
945 paragraph, the term “fish” shall be defined as provided in section 1 of chapter 130, except that it
946 shall not include bi-valve shellfish.

947 SECTION 9A. Section 3 of chapter 25A of the General Laws, as appearing in the 2016
948 Official Edition is hereby amended by inserting after the first paragraph, the following
949 definition:-

950 “Adaptation projects”, public infrastructure projects designed to mitigate adjustments in
951 natural or human systems in response to actual or expected climatic stimuli and associated
952 impacts, including but not limited to changes in processes, practices, and built and natural
953 structures to increase resiliency, moderate potential damages, or benefit from opportunities
954 associated with climate change.

955 SECTION 9B. Section 11C of said chapter 25A, as so appearing, is hereby amended by
956 adding the following subsection:- “(e) The division of capital asset management and

957 maintenance may contract for the procurement of capital improvements for adaptation projects
958 in the manner provided in subsections (a) and (c). A local governmental body may contract for
959 the procurement of capital improvements for adaptation projects in the manner provided in
960 subsections (b) and (c).

961 SECTION 10. Said chapter 21A is hereby further amended by adding the following 2
962 sections:-

963 Section 27. (a) There shall be established within the executive office of energy and
964 environmental affairs a program to facilitate the transfer of development rights, as defined in
965 section 1A of chapter 40A, through municipal ordinances or bylaws to protect conservation
966 values and encourage development through market incentives. The secretary, in consultation
967 with the secretary of housing and economic development and other agencies or offices as
968 appropriate, shall manage and oversee the program, including the administration of the Transfer
969 of Development Rights Revolving Fund established in section 35HHH of chapter 10. The
970 secretary may promulgate regulations to carry out the provisions of this section.

971 (b) To be eligible for a loan from the Transfer of Development Rights Revolving Fund, a
972 municipality shall:-

973 (1) establish a municipal transfer of development rights revolving fund under section
974 53E½ of chapter 44 to be used to effectuate the purchase and sale of the transfer of development
975 rights, as defined in section 1A of chapter 40A; and

976 (2) enact a transfer of development rights zoning bylaw or ordinance approved by the
977 secretary, in consultation with the secretary of housing and economic development, that, at a
978 minimum—

979 (i) enables the acquisition, retention, and disposition of the transfer of development
980 rights;

981 (ii) provides reasonable assurance that areas designated for preservation through the
982 transfer of development rights have ample natural resource, agricultural, recreational, historic, or
983 other conservation value such that their protection will be of sufficient public benefit to meet the
984 standards for approval of a conservation, agricultural preservation, watershed protection,
985 preservation, or other use restriction as provided in the following paragraphs;

986 (iii) requires that the land from which development rights will be extinguished be subject
987 to a permanent conservation, watershed preservation, agricultural preservation, or preservation
988 restriction in accordance with sections 31 to 33, inclusive, of chapter 184, which shall be
989 recorded with the registry of deeds or registered in the registry district of the land court for the
990 county or district wherein the land lies; or, if the land is submitted for approval by the
991 appropriate state official but does not qualify, or is otherwise not approved, for a restriction
992 under these sections, shall be subject to a restrictive covenant extended in perpetuity in
993 accordance with sections 26 to 30, inclusive, of said chapter 184, which shall be approved by the
994 planning board and the city council or board of selectmen, as appropriate, held by the
995 municipality or a non-profit organization permitted to hold restrictions pursuant to section 32 of
996 said chapter 184, and as applicable duly recorded or registered;

997 (iv) provides reasonable assurance that areas designated for receipt of transferred
998 development rights are properly sized based on the potential increase in growth that may result
999 from the transfers to them, and that they are appropriate for additional growth based on their

1000 location, availability of infrastructure or planned infrastructure development, and access to
1001 municipal services; and

1002 (v) establishes a procedure for the planning board to issue development rights certificates,
1003 in a form specified by the secretary, indicating ownership of transferable development rights, and
1004 to provide for and document the creation, acquisition, disposition, exercise and redemption of
1005 transferable development rights, including: (1) procedures for the filing of development rights
1006 certificates with the municipal clerk and recording with the registry of deeds or registration in the
1007 registry district, as applicable, for both the land from which development rights are extinguished
1008 and the land to which such rights are transferred; (2) procedures for documenting the recording
1009 or registration of the original restriction or restrictive covenant as required in clause (iii); and (3)
1010 procedures, including limitations if any, for the exercise of transferable development rights in the
1011 event of subsequent amendments to zoning ordinances and bylaws affecting the development
1012 authorized by the transferable development right.

1013 (c) To apply for a loan from the Transfer of Development Rights Revolving Fund, an
1014 eligible municipality shall submit an application that certifies, at a minimum, that the
1015 municipality will—

1016 (1) follow the provisions of chapter 30B when acquiring or disposing of transferable
1017 development rights;

1018 (2) commit, through approval of the local legislative body, to repay any loan from the
1019 Transfer of Development Rights Revolving Fund under the terms then specified;

1020 (3) keep permanent records of all restrictions recorded and transferable development
1021 rights created, acquired, held, sold or disposed, and exercised, and report on these activities to
1022 the secretary in a manner directed by the secretary; and

1023 (4) keep permanent records of all financial transactions involving the municipal transfer
1024 of development rights revolving fund and report on these transactions and fund balances to the
1025 secretary in a manner directed by the secretary.

1026 (d) Loans from the Transfer of Development Rights Revolving Fund shall carry 0 per
1027 cent interest for the first 5 years from the date of origination, and the prime rate plus 1 per cent
1028 from the sixth to the tenth year from the date of origination. A municipality that has not repaid its
1029 loan within 10 years of the origination date shall be considered in default. In addition to other
1030 remedies specified under any loan agreement, if any municipality shall fail to pay to the
1031 Transferable Development Rights Revolving Fund when due and after demand any principal,
1032 interest or other charges payable under a loan or loan agreement, the secretary may certify to the
1033 state treasurer the amount owing to the Transferable Development Rights Revolving Fund by
1034 said municipality, and may request that the state treasurer reduce annual local aid to the recipient
1035 by the amount necessary to repay the principal, interest or other charges in arrears over 10 years.
1036 The state treasurer shall promptly pay over to the secretary for deposit in the Transferable
1037 Development Rights Revolving Fund without further appropriation any local aid distributions in
1038 the amounts requested by the secretary and otherwise certified to the state treasurer as payable to
1039 the municipality. The loan terms set forth in this subsection may be modified by regulations
1040 promulgated by the secretary; provided, however, that no such modification shall be made before
1041 January 1, 2022.

1042 SECTION 11. Section 1 of chapter 21N of the General Laws, as appearing in the 2016
1043 Official Edition, is hereby amended by inserting before the definition of “Allowance” the
1044 following definition:-

1045 “Adaptation”, adjustments in natural or human systems in response to actual or expected
1046 climatic stimuli and associated impacts, including but not limited to changes in processes,
1047 practices, and protocols to increase resiliency of built and natural structures, moderate potential
1048 damages, or benefit from opportunities associated with climate change.

1049 SECTION 12. Said section 1 of said chapter 21N, as so appearing, is hereby further
1050 amended by inserting after the definition of “Greenhouse gas emissions source” the following
1051 definition:-

1052 “Hazard mitigation”, actions that reduce or eliminate long-term risks caused by natural or
1053 man-made disasters.

1054 SECTION 13. Said section 1 of said chapter 21N, as so appearing, is hereby further
1055 amended by inserting after the definition of “Secretary” the following definition:-

1056 “State plan”, the integrated state climate adaptation and hazard mitigation plan which
1057 shall include the state hazard mitigation plan, required by the Robert T. Stafford Disaster Relief
1058 and Emergency Assistance Act, Public Law 93-288, codified as 42 U.S.C. section 5121 et seq.,
1059 and any subsequent revisions of the plan developed pursuant to this chapter.

1060 SECTION 14. Said section 1 of said chapter 21N, as so appearing, is hereby further
1061 amended by adding the following definition:-

1062 “Vulnerability assessment”, an evaluation of degree of susceptibility to, or ability to cope
1063 with, adverse effects of climate change, such as climate variability and extremes, including an
1064 evaluation of adaptive capacity and subsequent adaptation strategies and options for the asset,
1065 system, institution or other subject being assessed.

1066 SECTION 15. Said chapter 21N is hereby amended by adding the following 2 sections:-

1067 Section 10. (a) The secretary and the secretary of the executive office of public safety and
1068 security shall coordinate efforts across the commonwealth to strengthen the resiliency of
1069 communities, prepare for the impacts of climate change, and prepare for and mitigate damage
1070 from extreme weather events. The secretaries shall publish, every 5 years, a state plan that
1071 includes a statewide adaptation strategy incorporating: (1) observed and projected climate trends
1072 based on the best available data, including but not limited to, extreme weather events, drought,
1073 coastal and inland flooding, sea level rise and increased storm surge, wildfire, and extreme
1074 temperatures; (2) risk analysis and vulnerability assessment of: key physical assets and functions
1075 of state government, municipalities, and local economies; natural resources; and the built
1076 environment; provided, this analysis and assessment shall include key findings from
1077 vulnerability assessments conducted pursuant to subsection (b); (3) an evaluation of the
1078 commonwealth’s capacity to respond and to adapt to climate change impacts and opportunities;
1079 (4) guidance and strategies for state agencies and authorities, municipalities and regional
1080 planning agencies to proactively address these impacts through adaptation and resiliency
1081 measures, including changes to plans, by-laws, regulations, and policies; (5) clear goals,
1082 expected outcomes, and a path to achieving results; (6) approaches for the commonwealth to
1083 increase the resiliency of state government operations; (7) policies and strategies for ensuring
1084 that adaptation and resiliency efforts complement and do not conflict with efforts to reduce

1085 greenhouse gas emissions and contribute to meeting statewide emission limits, established
1086 pursuant to this chapter; and (8) strategies that conserve and sustainably employ the natural
1087 resources of the commonwealth.

1088 (b) The secretary and the secretary of the executive office of public safety and security
1089 shall further: (1) establish and maintain a framework for each executive office established under
1090 section 2 of chapter 6A to complete a vulnerability assessment for such office and each agency
1091 under the jurisdiction of such office to be incorporated into the state plan; (2) establish and
1092 maintain a framework enabling each municipality in the commonwealth that so chooses to
1093 complete a vulnerability assessment that can be incorporated into the state plan; (3) implement
1094 the state plan; and (4) incorporate information learned from implementing the state plan in plan
1095 updates, including the experiences of executive offices, agencies, and municipalities in assessing
1096 and responding to climate change vulnerability.

1097 (c) The secretary of each executive office established under section 2 of chapter 6A shall
1098 designate an employee to serve as the climate change coordinator of such office. Each climate
1099 change coordinator shall, under the leadership of the executive office of energy and
1100 environmental affairs and the executive office of public safety: (1) serve as such office's
1101 principal liaison regarding climate change mitigation, adaptation, and resiliency efforts; (2) assist
1102 in the development and implementation of the state plan; (3) work with agencies under the
1103 jurisdiction of such office to complete vulnerability assessments for each agency and assist in
1104 incorporating these assessments into the state plan, on a schedule determined by the executive
1105 office of energy and environmental affairs and the executive office of public safety and security;
1106 and (4) implement priority strategies and recommendations from the vulnerability assessment to
1107 moderate risk from climate change.

1108 Section 11. (a) The secretary shall develop and support a municipal vulnerability
1109 preparedness grant program. The program shall consist of: (1) financial assistance to
1110 municipalities to complete a community-led resilience building process and vulnerability
1111 assessment that enables climate change information and adaptation actions to be directly
1112 incorporated into existing municipal plans, policies, and spending programs; (2) technical
1113 planning guidance; (3) a statewide catalogue of municipal climate vulnerabilities and impacts
1114 identified through the assessment process that may be incorporated into the state plan; and (4)
1115 support for implementation projects to address vulnerabilities.

1116 (b) A grant of financial assistance issued under this section shall be used to advance
1117 efforts to adapt land use, zoning, infrastructure, financial decision-making, policies and programs
1118 to reduce the vulnerability of the built and natural environment to changing environmental
1119 conditions that are a result of climate change.

1120 (c) The secretary shall develop and implement an outreach and education program about
1121 climate change and its effects for low-income, environmental justice and urban communities to
1122 increase participation in the grant program established in this section.

1123 SECTION 16. Section 1A of chapter 40A of the General Laws, as so appearing, is hereby
1124 amended by inserting after the definition of “Special permit granting authority” the following 2
1125 definitions:-

1126 “Transfer of development rights zoning” or “TDR zoning”, zoning that authorizes
1127 transfer of development rights by permitting landowners in specific preservation areas identified
1128 as sending areas to sell their development rights to landowners in specific development districts
1129 identified as receiving areas.

1130 “Transfer of development rights”, the process by which the owner of a parcel may
1131 convey development rights, extinguishing those rights on the first parcel, and where the owner of
1132 another parcel may obtain and exercise those rights in addition to the development rights already
1133 existing on that second parcel.

1134 SECTION 17. Section 9 of said chapter 40A, as so appearing, is hereby amended by
1135 inserting after the word “interests”, in line 34, the following words:- ; provided, however, that
1136 nothing herein shall prohibit a zoning ordinance or by-law from allowing transfer of
1137 development rights to be permitted as of right, without the need for a special permit or other
1138 discretionary zoning approval.

1139 SECTION 18. Section 6F of chapter 62 of the General Laws, as so appearing, is hereby
1140 amended by inserting after the word “under,” in line 52, the following words:- subsections (a) or
1141 (c) of.

1142 SECTION 19. Section 5 of chapter 65C, as so appearing, is hereby amended by striking
1143 out subsection (c) and inserting in place thereof the following subsections:-

1144 (c) If the gross estate of a decedent, dying on or before December 31, 2018, includes real
1145 property devoted to use as a farm for farming purposes, the estate may elect to value such
1146 property in accordance with section 2032A of the Code, in effect on January 1, 1985. If a federal
1147 return is required to be filed, such election shall be consistent with the election made for federal
1148 estate tax purposes. All the substantive and procedural provisions of said section 2032A shall,
1149 insofar as pertinent and consistent, apply to such election. The commissioner shall promulgate
1150 regulations to carry out the provisions of this subsection.

1151 (d)(1) As used in this subsection, the following words shall have the following
1152 meanings:-

1153 “Applicable date”, the date upon which the 10 year period that the estate shall be liable
1154 for assessment under paragraph (4) of this subsection begins. For qualifying agricultural land and
1155 associated land, the applicable date shall be the date of death of the decedent. For qualifying non-
1156 committed land, the applicable date shall be 2 years from the date of death of the decedent.

1157 “Associated land”, land under the same ownership as and contiguous to qualifying
1158 agricultural land and which, as of the date of death of the decedent, is not committed to
1159 residential, industrial or commercial use. Land shall be deemed contiguous if it is separated from
1160 other land under the same ownership only by a public or private way or waterway. Land under
1161 the same ownership shall be deemed contiguous if it is connected to other land under the same
1162 ownership by an easement for water supply. Any such land in excess of 100 per cent of the
1163 acreage of qualifying agricultural land shall be deemed qualifying non-committed land.

1164 “Closely held agricultural land”, qualifying agricultural land, associated land and
1165 qualifying non-committed land for which an election is made under this subsection.

1166 “Qualifying agricultural land”, land which meets the definition of forest land under
1167 chapter 61, land actively devoted to agricultural, horticultural or agricultural and horticultural
1168 uses under chapter 61A or recreational land under chapter 61B that is also used for farming or
1169 agriculture, as defined in section 1A of chapter 128, and has been devoted to such use or uses for
1170 at least 2 of the tax years immediately preceding the death of the decedent; provided, however,
1171 that the land need not be classified by municipal assessors as forest land under chapter 61, land
1172 actively devoted to agricultural, horticultural or agricultural and horticultural uses under chapter

1173 61A or recreational land under chapter 61B to qualify for valuation as closely held agricultural
1174 land under this subsection.

1175 “Qualifying non-committed land”, land which is not qualifying agricultural land and is
1176 not committed to residential, industrial or commercial use, including associated land in excess of
1177 100 per cent of the acreage of qualifying agricultural land.

1178 “Savings”, the difference between the estate taxes paid as a result of an election made
1179 under this subsection and the estate taxes that would have otherwise been paid had the election
1180 not been made.

1181 (2) If the gross estate of a decedent, dying on or after January 1, 2019, includes real
1182 property that is qualifying agricultural land, associated land or qualifying non-committed land,
1183 the estate may elect to value such property, or any portion thereof, as closely held agricultural
1184 land pursuant to the valuation set by the farmland valuation advisory commission established
1185 pursuant to section 11 of chapter 61A for the fiscal year of the most recent growing season. The
1186 value of closely held agricultural land as determined pursuant to such election shall only be for
1187 the purposes of computing the tax due under this chapter. Such election shall be subject to the
1188 provisions of paragraphs (3) to (6), inclusive.

1189 (3) Unless the property is restricted by a non-development covenant that (i) is approved
1190 by the commissioner of agriculture, (ii) is for the purposes of maintaining the land in agricultural
1191 use, (iii) precludes non-agricultural development of the land, (iv) is recorded at the registry of
1192 deeds in the counties or districts in which the property is located, and (v) does not expire within
1193 10 years of the applicable date, the commissioner shall forthwith cause to be recorded in the
1194 registry of deeds of the counties or districts in which the property is situated a statement which

1195 shall constitute a lien upon the land covered by election under this subsection. The statement
1196 shall include the owner or owners of record, the savings as a result of such election, the fair
1197 market value of the property and a description of the land adequate for identification. Unless
1198 such a statement is recorded the lien shall not be effective with respect to a bona fide purchaser
1199 or other transferee without actual knowledge of such lien. Upon application by any record owner,
1200 such liens shall be released by the commissioner with respect to any property upon the facts
1201 being established by their records or by affidavits or otherwise that all assessments have been
1202 paid, or it being more than 10 years past the applicable date, no assessment being due. All
1203 recording fees paid under this subsection whether for statements of liens, certificates, releases, or
1204 otherwise shall be borne by the owner of record of the land.

1205 Property restricted by an agricultural preservation restriction as defined by section 31 of
1206 chapter 184 and signed by the commissioner of agriculture shall be deemed to be restricted by a
1207 non-development covenant if the restriction (i) is approved by the commissioner of agriculture,
1208 (ii) is for the purposes of maintaining the land in agricultural use, (iii) precludes non-agricultural
1209 development of the land, (iv) is recorded at the registry of deeds in the counties or districts in
1210 which the property is located and (v) does not expire within 10 years of the applicable date.

1211 (4)(i) When land valued as closely held agricultural land under this subsection, within a
1212 period of 10 years from the applicable date, is sold for other use or no longer qualifies as closely
1213 held agricultural land, the owner or owners shall immediately notify the commissioner of such
1214 sale or change of use and an assessment shall be due the commonwealth. Such assessment shall
1215 be calculated with interest based on the date of sale for other use or based on the last date of use
1216 as closely held agricultural land as follows:

1217 The assessment shall be equal to 100 per cent of the savings if such date is within 1 year
1218 of the applicable date; 90 per cent of the savings if such date is within 2 years, but more than 1
1219 year, of the applicable date; 80 per cent of the savings if such date is within 3 years, but more
1220 than 2 years, of the applicable date; 70 per cent of the savings if such date is within 4 years, but
1221 more than 3 years, of the applicable date; 60 per cent of the savings if such date is within 5 years,
1222 but more than 4 years, of the applicable date; 50 per cent of the savings if such date is within 6
1223 years, but more than 5 years, of the applicable date; 40 per cent of the savings if such date is
1224 within 7 years, but more than 6 years, of the applicable date; 30 per cent of the savings if such
1225 date is within 8 years, but more than 7 years, of the applicable date; 20 per cent of the savings if
1226 such date is within 9 years, but more than 8 years, of the applicable date; 10 per cent of the
1227 savings if such date is within 10 years, but more than 9 years, of the applicable date; and no
1228 assessment shall be due if such date is more than 10 years from the applicable date.

1229 Such assessment shall also include interest calculated at a simple interest rate of 5 per
1230 cent per annum on the savings from the applicable date.

1231 There shall be an additional assessment equal to 30 per cent of the savings if the date of
1232 sale for other use or the last date of use while qualified as closely held agricultural land occurs
1233 within 1 year of the applicable date; and 15 per cent of the savings if such date occurs within 2
1234 years, but more than 1 year, of the applicable date.

1235 (ii) If an election has been made with respect to qualifying non-committed land which, on
1236 the applicable date, fails to meet the definition of forest land under chapter 61, land actively
1237 devoted to agricultural, horticultural or agricultural and horticultural uses under chapter 61A or
1238 recreational land under chapter 61B that is also used for farming or agriculture, as defined in

1239 section 1A of chapter 128, an assessment shall be due the commonwealth and payable by the
1240 owner or owners within 30 days of the applicable date; provided, however, that the land need not
1241 be classified by municipal assessors as forest land under chapter 61, land actively devoted to
1242 agricultural, horticultural or agricultural and horticultural uses under chapter 61A or recreational
1243 land under chapter 61B. Such assessment shall be equal to the sum of (A) 100 per cent of the
1244 savings; (B) interest calculated at a simple interest rate of 5 per cent per annum on the savings
1245 from the date of death of the decedent; and (C) an additional assessment equal to 30 per cent of
1246 the savings.

1247 (iii) Notwithstanding this paragraph, there shall be no assessment if the land involved, or
1248 a lesser interest in the land, is acquired for a natural resource by the commonwealth or by a
1249 nonprofit conservation organization; provided, however, that if any portion of the land is sold or
1250 converted to commercial, residential or industrial use within 10 years after the applicable date by
1251 a nonprofit conservation organization, an assessment shall be imposed against the nonprofit
1252 conservation organization in the amount that would have been imposed at the time of acquisition
1253 of the subject parcel by the nonprofit conservation organization had the transaction been subject
1254 to an assessment or, in the case of qualifying non-committed land acquired by a nonprofit
1255 conservation organization before the applicable date, the amount that would have been imposed
1256 on the applicable date under clause (ii).

1257 (iv) In the case of sale for other use of closely held agricultural land, other than
1258 qualifying non-committed land sold for other use before the applicable date, assessments
1259 imposed by this subsection shall be due and payable by the grantor at the time of transfer of the
1260 property by deed or other instrument of conveyance. In the case of qualifying non-committed
1261 land sold for other use before the applicable date, assessments imposed by this subsection shall

1262 be due and payable by the grantor on the applicable date. In the case of change to a non-
1263 qualifying use, assessments imposed by this subsection shall be due and payable by the owner or
1264 owners within 30 days of the last date of use as closely held agricultural land, regardless of the
1265 date on which the commissioner was notified by said owner or owners of such change of use.

1266 (v) An assessment shall be imposed on only that portion of land on which the use has
1267 changed. If, by conveyance or other action of the owner thereof, a portion of land which is
1268 valued as closely held agricultural land under this subsection is separated for other use, the land
1269 so separated shall be subject to liability for assessment, interest and additional assessment under
1270 this paragraph based on the proportion which the acreage of the land so separated bears to the
1271 total acreage of land valued as closely held agricultural land under this subsection.

1272 (5) All buildings located on land which is valued as closely held agricultural land under
1273 this subsection and all land occupied by a dwelling or regularly used for family living shall not
1274 be valued as provided under this subsection.

1275 (6) The commissioner shall promulgate regulations as necessary to carry out the
1276 provisions of this subsection.

1277 SECTION 20. Section 25 of chapter 90B of the General Laws, as so appearing, is hereby
1278 amended by inserting after the word “way,” in line 44, the following words:- , or upon but to the
1279 extreme right of such travelled portion.

1280 SECTION 21. The fourth paragraph of said section 25 of said chapter 90B, as so
1281 appearing, is hereby amended by adding the following sentence:- This paragraph shall also apply
1282 to any portion of a public way designated by the governmental entity with jurisdiction over such
1283 public way, with approval of the chief of police of the municipality in which such portion lies, to

1284 permit travel by a recreational vehicle from 1 authorized operating area to another, or permit
1285 access by a recreational vehicle to essential services such as fuel, food, and lodging from an
1286 authorized operating area. The designated portion shall be the minimum distance necessary to
1287 permit such travel or access, but shall not exceed 4 miles.

1288 SECTION 22. Chapter 129 of the General Laws is hereby amended by striking out
1289 section 18, as so appearing, and inserting in place thereof the following section:-

1290 Section 18. (a) Each inspector shall comply with and enforce all orders and regulations
1291 directed to them by the director.

1292 (b) The director shall establish mandatory training programs for all municipal animal
1293 inspectors. Such training shall be designed to ensure that inspections are conducted on a
1294 consistent basis and that inspectors are educated on matters including, but not limited, to animal
1295 health and welfare. Every municipal animal inspector shall complete such training within 90
1296 days of appointment, and every 2 years thereafter. The director may require additional training
1297 for animal inspectors as needed.

1298 (c) An inspector who refuses or neglects to comply with this section shall be punished by
1299 a fine of not more than \$500.

1300 SECTION 23. Said chapter 129 is hereby further amended by striking out section 25, as
1301 so appearing, and inserting in place thereof the following section:-

1302 Section 25. Each inspector shall keep a record of all inspections made of animals
1303 pursuant to this chapter. The director shall provide forms in any such manner, electronic format
1304 or medium necessary to implement this section, including any forms or records to be utilized and

1305 kept by inspectors, which shall be retained for no more than 10 years in an electronic database
1306 implemented and maintained by the director. The director shall file a report with the department
1307 of agricultural resources outlining the process, timeline, and steps for designing and
1308 implementing the database by January 6, 2020.

1309 SECTION 24. Section 2 of chapter 130 of the General Laws, as so appearing, is hereby
1310 amended by striking out the fourth and fifth paragraphs and inserting in place thereof the
1311 following paragraph:-

1312 Whoever violates any provision of this chapter or regulation made under the authority of
1313 this chapter, unless otherwise provided, shall be: (a) punished by a fine of not less than \$400 or
1314 more than \$10,000, or by imprisonment in the house of correction for not more than 2 ½ years,
1315 or both; or (b) liable for a civil penalty not to exceed \$10,000 for each such violation. Such civil
1316 penalty may be assessed in an action brought on behalf of the commonwealth in the superior or
1317 district court.

1318 SECTION 25. Section 13 of said chapter 130, as so appearing, is hereby amended by
1319 striking out the third paragraph.

1320 SECTION 26. Said chapter 130 is hereby further amended by striking out section 18, as
1321 so appearing, and inserting in place thereof the following section:-

1322 Section 18. No person shall, without right, enter in or upon any building or other structure
1323 or any area of land, flats or water, set apart and used by or under authority of the director for
1324 conducting scientific experiments or investigations or for propagation or protection of fish, or
1325 contrary to regulations, fish in waters so set apart and used after the director has caused printed
1326 notices of such occupation and use and the purposes thereof to be placed in a conspicuous

1327 position upon any such building or other structure or adjacent to any such area of land, flats or
1328 water, or injure or deface any such building or other structure or any notice posted as aforesaid,
1329 or injure or deface any property used in such experiments or investigations or for such purposes,
1330 or otherwise interfere therewith.

1331 SECTION 27. Section 19 of said chapter 130, as so appearing, is hereby amended by
1332 striking out the fifth paragraph.

1333 SECTION 28. The sixth paragraph of said section 19 of said chapter 130, as so
1334 appearing, is hereby amended by striking out the third sentence.

1335 SECTION 29. Section 21 of said chapter 130, as so appearing, is hereby amended by
1336 striking out the fifth paragraph.

1337 SECTION 30. Said chapter 130 is hereby further amended by striking out section 23, as
1338 so appearing, and inserting in place thereof the following section:-

1339 Section 23. Except in the case of emergency imperiling life or property or an unavoidable
1340 accident or except in accordance with the terms of a permit issued pursuant to state or federal
1341 water pollution control laws, no person shall, from any source: put, throw, discharge or suffer or
1342 permit to be discharged or escape into any coastal waters any oil, poisonous or other injurious
1343 substance, including but not limited to, sawdust, shavings, garbage, ashes, acids, sewage and
1344 dye-stuffs, whether simple, mixed or compound, or heated effluent, which directly or indirectly
1345 materially injure fish, fishspawn or seed therein, or takes any such fish by such means; or kill or
1346 destroy fish in such waters by the use of dynamite or other explosives, or take any such fish in
1347 such waters by such means; or explode dynamite or other explosive in such waters.

1348 SECTION 31. Section 29 of said chapter 130, as so appearing, is hereby amended by
1349 striking out the second paragraph and inserting in place thereof the following paragraph:-

1350 No person shall construct or maintain a weir, pound net or a fish trap in the tide water
1351 except in accordance with the requirements of this section.

1352 SECTION 32. Section 30 of said chapter 130, as so appearing, is hereby amended by
1353 striking out the second sentence.

1354 SECTION 33. Said chapter 130 is hereby amended by striking out section 31, as so
1355 appearing, and inserting in place thereof the following section:-

1356 Section 31. No person shall, without the consent of the owner, take, use, destroy, injure
1357 or molest any weir, pound net, fish trap, seine, set net or lobster or crab pot or other fishing gear,
1358 or any fish car or other contrivance used for the purpose of storing fish, including any such
1359 fishing gear which is swept ashore by storm or tide or other natural causes and deposited upon
1360 the shore, beaches or flats, whether public or private, or take fish therefrom without the consent
1361 of the owner.

1362 SECTION 34. Section 33 of said chapter 130, as so appearing, is hereby amended by
1363 striking out the sixth sentence.

1364 SECTION 35. Section 34 of said chapter 130, as so appearing, is hereby amended by
1365 striking out the first sentence and inserting in place thereof the following sentence:- Between
1366 March 15 and the following June 15 of any year, no person shall catch or take any smelt from the
1367 waters of the commonwealth, or buy, receive, sell or offer or expose for sale, transport or possess
1368 a smelt so taken.

1369 SECTION 36. Section 35 of said chapter 130, as so appearing, is hereby amended by
1370 striking out the first paragraph and inserting in place thereof the following paragraph:-

1371 No person shall take or attempt to take a smelt in any other manner than by angling. This
1372 section shall not apply to smelt inadvertently taken in a seine or net during the time and in the
1373 manner in which fishing is allowed for perch, herring or alewives; provided, that such smelt so
1374 taken shall be immediately liberated alive in the waters from which taken.

1375 SECTION 37. Section 36 of said chapter 130, as so appearing, is hereby amended by
1376 striking out the second sentence and inserting in place thereof the following sentence:- No person
1377 shall violate the provisions of this section or molest or disturb smelt or their spawn within such
1378 closed areas.

1379 SECTION 38. The fourth paragraph of section 37 of said chapter 130, as so appearing, is
1380 hereby amended by striking out the first sentence.

1381 SECTION 39. Section 38 of said chapter 130, as so appearing, is hereby amended by
1382 striking out, in lines 82 to 84, the words “, and upon failure to do so shall be punished by a fine
1383 of not less than twenty-five nor more than one hundred dollars or imprisonment for one month or
1384 both”.

1385 SECTION 40. Section 38A of said chapter 130, as so appearing, is hereby amended by
1386 striking out the third paragraph.

1387 SECTION 41. Section 39 of said chapter 130, as so appearing, is hereby amended by
1388 striking out the second sentence.

1389 SECTION 42. Section 40 of said chapter 130, as so appearing, is hereby amended by
1390 striking out the second sentence.

1391 SECTION 43. Section 47 of said chapter 130, as so appearing, is hereby amended by
1392 striking out the third sentence.

1393 SECTION 44. Said chapter 130 is hereby amended by striking out section 49, as so
1394 appearing, and inserting in place thereof the following section:-

1395 Section 49. No carrier shall knowingly receive or carry from place to place any lobster or
1396 lobster meat in barrels, boxes or other containers not marked as provided in section 47.

1397 SECTION 45. Section 51 of said chapter 130, as so appearing, is hereby amended by
1398 striking out the second sentence.

1399 SECTION 46. Section 51A of said chapter 130, as so appearing, is hereby amended by
1400 striking out the third sentence.

1401 SECTION 47. Section 52 of said chapter 130, as so appearing, is hereby amended by
1402 inserting after the word “therefore”, in line 61, the following words:-

1403 ; provided, however, that such city or town shall not charge a veteran, as defined in
1404 clause Forty-third of section 7 of chapter 4, who is a resident of the commonwealth, a fee greater
1405 than the fee charged to a resident of such city or town.

1406 SECTION 48. Said chapter 130 is hereby further amended by striking out section 66, as
1407 so appearing, and inserting in place thereof the following section:-

1408 Section 66. No person shall willfully injure, deface, destroy or remove any mark or
1409 bound used to define the extent of any shellfish license or grant, or place any unauthorized mark
1410 thereon, or tie or fasten any boat or vessel thereto. Any person who violates this section shall be
1411 liable in tort for double damages and costs to the licensee or transferee injured by such act.

1412 SECTION 49. Said chapter 130 is hereby further amended by striking out section 67, as
1413 so appearing, and inserting in place thereof the following section:-

1414 Section 67. No person shall work a dredge, oyster tongs or rakes, or any other implement
1415 for the taking of shellfish of any description upon any shellfish grounds or beds covered by a
1416 license granted under section 57 or corresponding provisions of earlier laws, or in any way
1417 disturb the growth of the shellfish thereon, or discharge any substance which may directly or
1418 indirectly injure the shellfish upon any such grounds or beds, without the consent of the licensee
1419 or transferee, as the case may be, or, while upon or sailing over any such grounds or beds, cast,
1420 haul, or have overboard any such dredge, tongs, rake or other implement for the taking of
1421 shellfish of any description, under any pretense or for any purpose, without the consent of the
1422 licensee or transferee.

1423 SECTION 50. Section 68 of said chapter 130, as so appearing, is hereby amended by
1424 striking out the second paragraph and inserting in place thereof the following paragraph:-

1425 No person shall, without the consent of the licensee or transferee, dig or take any
1426 shellfish or shells from any waters, flats or creeks described in any license granted under section
1427 57, or corresponding provisions of earlier laws, during the continuance of such license or of any
1428 renewal thereof.

1429 SECTION 51. Section 70 of said chapter 130, as so appearing, is hereby amended by
1430 striking out the seventh sentence.

1431 SECTION 52. Section 71 of said chapter 130, as so appearing, is hereby amended by
1432 striking out the second sentence.

1433 SECTION 53. Section 72 of said chapter 130, as so appearing, is hereby amended by
1434 striking out the second sentence.

1435 SECTION 54. The second paragraph of section 75 of said chapter 130, as so appearing, is
1436 hereby amended by striking out the first and second sentences and inserting in place thereof the
1437 following sentence:-

1438 Whoever, without a permit as provided in this section or contrary to the provisions of
1439 such permit, digs or takes shellfish for any purpose from any area determined under section 74 or
1440 section 74A or under corresponding provisions of earlier laws to be contaminated, while such
1441 determination is in force, or knowingly transports or causes to be transported or has in their
1442 possession or offers for sale shellfish so dug or taken, shall be punished by imprisonment in a
1443 house of correction for not more than 2 ½ years or imprisonment in the state prison for not more
1444 than 3 years; a fine of not less than \$500 and not more than \$10,000; or by both such fine and
1445 imprisonment.

1446 SECTION 55. Section 80 of said chapter 130, as so appearing, is hereby amended by
1447 striking out, in line 73, the words “ten dollars” and inserting in place thereof the following
1448 figure:- \$400.

1449 SECTION 56. Section 81 of said chapter 130, as so appearing, is hereby amended by
1450 striking out, in lines 21 and 22, the words “one hundred nor more than ten thousand dollars” and
1451 inserting in place thereof the following words:- \$400 nor more than \$10,000.

1452 SECTION 57. Section 82 of said chapter 130, as so appearing, is hereby amended by
1453 striking out, in line 18, the words “one hundred” and inserting in place thereof the following
1454 figure:- \$400.

1455 SECTION 58. Section 92 of said chapter 130, as so appearing, is hereby amended by
1456 striking out the first and second paragraphs and inserting in place thereof the following
1457 paragraph:-

1458 No person shall sell, exchange, transport or deliver, or offer or expose for sale, exchange
1459 or delivery, or have in their custody or possession with intent to sell, exchange, transport or
1460 deliver, any scallops or sea scallops which have been soaked and shall tag such scallops in
1461 accordance with regulations promulgated by the director.

1462 SECTION 59. Said chapter 130 is hereby further amended by striking out section 95, as
1463 so appearing, and inserting in place thereof the following section:-

1464 Section 95. No person shall take, kill, haul onshore, disturb, injure, hinder, or obstruct the
1465 passage of any herring, alewives, or other swimming marine food fish in a fishery created by a
1466 city or town, without permission thereof, or that of its lessees; in a fishery legally created by a
1467 corporation, without the permission of such corporation; or in a public fishery regulated and
1468 controlled by a city or town, contrary to its regulations.

1469 Proceedings under this section shall be commenced within 30 days after the commission
1470 of the offence.

1471 SECTION 60. Section 99 of said chapter 130 is hereby repealed.

1472 SECTION 61. Section 100A of said chapter 130, as appearing in the 2016 Official
1473 Edition, is hereby amended by striking out the second sentence.

1474 SECTION 62. Section 100B of said chapter 130, as so appearing, is hereby amended by
1475 striking out the second sentence.

1476 SECTION 63. Section 100C of said chapter 130, as so appearing, is hereby amended by
1477 striking out the second sentence.

1478 SECTION 64. Section 100D of said chapter 130, as so appearing, is hereby amended by
1479 striking out the third paragraph.

1480 SECTION 65. Said chapter 130 is hereby further amended by striking out section 102, as
1481 so appearing, and inserting in place thereof the following section:-

1482 Section 102. No person shall harvest for sale or engage in the aquaculture of marine
1483 plants except in accordance with any regulations adopted by the director and subject to a permit
1484 or written approval issued by the director.

1485 SECTION 66. Section 103 of said chapter 130 is hereby repealed.

1486 SECTION 67. Subdivision (2) of section 2D of chapter 132A of the General Laws, as so
1487 appearing, is hereby amended by adding the following sentence:-

1488 The commissioner may also offer discounts or waive charges or fees for parking passes
1489 for veterans, as defined in section 6A of chapter 115.

1490 SECTION 68. Item 2300-0100 of section 2 of chapter 47 of the acts of 2017 is hereby
1491 amended by inserting after the word “county” the following words:- ; provided, further, that said
1492 \$1,000,000 shall not revert but shall be made available for the purposes of this project until June
1493 30, 2019.

1494 SECTION 69. The fourth paragraph of section 44 of chapter 85 of the acts of 1994, as
1495 most recently amended by section 127 of chapter 46 of the acts of 2015, is hereby further
1496 amended by inserting after the words “in the city of Canton” the following words:-

1497 , Randolph Avenue Stables, so called, at 1333 Randolph Avenue in the Blue Hills State
1498 Reservation in the town of Milton, 7 Brainard Street, in the Stonybrook State Reservation in the
1499 Hyde Park section of the city of Boston.

1500 SECTION 70. Notwithstanding any general or special law to the contrary, the
1501 commissioner of conservation and recreation may expend, without further appropriation, sums
1502 collected and held in accordance with chapter 673 of the acts of 1950 on repairs, replacements
1503 and improvements to the facilities and buildings on the Dilboy Stadium property in the city of
1504 Somerville.

1505 SECTION 71. Notwithstanding section 30 of chapter 29 of the General Laws or section
1506 65 of chapter 30 of the General Laws, a portion of the funds authorized under this act may be
1507 used for the costs associated with the purchase of title insurance and services for title
1508 examinations, reports and certifications; provided, that any executive department or state agency

1509 expending such funds shall maximize efforts and utilize all available means to minimize use of
1510 capital funds for such purposes.

1511 SECTION 72. Notwithstanding any general or special law to the contrary, any executive
1512 department or state agency expending funds authorized in this act shall maximize efforts and
1513 utilize all available means to minimize use of capital funds to pay for services rendered by
1514 agency employees or by consultants.

1515 SECTION 73. Notwithstanding any general or special law to the contrary, upon
1516 acquiring any fee interest in land for purposes pursuant to Article XCVII of the Amendments to
1517 the Constitution, all state agencies, commissions and boards expending or receiving state funds
1518 under this act shall obtain the approval of the secretary of energy and environmental affairs
1519 before implementing or endorsing any prohibition of fishing, hunting or trapping on that land
1520 and shall provide the secretary with written justification of the prohibition.

1521 SECTION 74. The sums made available pursuant to sections 2 to 2D, inclusive, shall be
1522 available for expenditure in the 5 fiscal years following June 30 of the calendar year in which the
1523 appropriation is made and any portion of such appropriation representing encumbrances
1524 outstanding on the records of the state comptroller's office at the close of the fifth fiscal year
1525 may be applied to the payment thereof any time thereafter.

1526 SECTION 75. Each agency acquiring land or an interest in land under this act may
1527 expend an amount not to exceed 5 per cent of the amount appropriated to that agency for the
1528 purpose of reimbursing nonprofit land conservation organizations or land trusts for reasonable
1529 expenses directly associated with the acquisition of land or interests in land subsequently
1530 conveyed to the commonwealth. Reimbursements shall be made at the discretion of the agency.

1531 The secretary of energy and environmental affairs shall determine by regulation what shall
1532 constitute reasonable expenses. If the commonwealth does not take title to the property through
1533 no fault of the nonprofit organization or the commonwealth, the commonwealth may reimburse
1534 the nonprofit organization for reasonable expenses associated with due diligence. An
1535 organization receiving a reimbursement under this section shall convey the land or interest in
1536 land to the agency for an amount not to exceed the actual purchase price paid by the organization
1537 for the land or interest in land in addition to any reimbursement received under this section.

1538 SECTION 76. To provide for the continued availability of certain bond-funded spending
1539 authorizations which otherwise would expire, the unexpended balances of the following capital
1540 accounts are hereby extended through June 30, 2023, for the purposes of and subject to the
1541 conditions stated for these items in the original authorizations and any amendments to such
1542 authorizations: 2000-2010, 2000-2011, 2000-2012, 2000-2013, 2000-2014, 2000-2015, 2000-
1543 2016, 2000-2017, 2000-2018, 2000-2019, 2000-2020, 2000-2021, 2000-2022, 2000-2023, 2000-
1544 2024, 2000-2025, 2000-2026, 2000-2028, 2000-2029, 2000-2035, 2000-6966, 2000-6967, 2000-
1545 6969, 2000-7013, 2000-7014, 2000-7015, 2000-7016, 2000-7018, 2000-7022, 2000-7023, 2000-
1546 7024, 2000-7025, 2000-7026, 2000-7028, 2000-7029, 2000-7031, 2000-7051, 2000-7052, 2000-
1547 7053, 2000-7054, 2000-7055, 2000-7056, 2000-7057, 2000-7058, 2000-7059, 2000-7060, 2000-
1548 7061, 2000-7062, 2000-7063, 2000-7066, 2000-7070, 2200-2011, 2200-2014, 2200-2015, 2200-
1549 2017, 2200-2019, 2200-7011, 2200-7012, 2200-7013, 2200-7014, 2200-7015, 2200-7017, 2200-
1550 7018, 2200-7021, 2200-7023, 2200-7025, 2200-7991, 2240-8820, 2250-8820, 2250-8822, 2300-
1551 2010, 2300-2011, 2300-2012, 2300-2014, 2300-2017, 2300-7010, 2300-7011, 2300-7013, 2300-
1552 7014, 2300-7016, 2300-7017, 2300-7018, 2300-7020, 2300-7021, 2300-7023, 2300-7024, 2300-
1553 7025, 2300-7026, 2300-7027, 2300-7028, 2500-7011, 2500-7012, 2500-7013, 2500-7014, 2500-

1554 7023, 2500-7024, 2800-0103, 2800-0109, 2800-0611, 2800-2019, 2800-7011, 2800-7012, 2800-
1555 7013, 2800-7015, 2800-7016, 2800-7017, 2800-7018, 2800-7019, 2800-7022, 2800-7027, 2800-
1556 7031, 2800-7032, 2800-7035, 2800-7097, 2800-7098, 2800-7107, 2800-7108, 2800-7109, 2810-
1557 3302, 2810-7872, 2810-8802, 2820-1420, 2820-2011, 2820-2012, 2820-8861, 2840-2013, 2840-
1558 2014, 2840-2019, 2840-2023, 2840-7017, 2840-7024, 2840-7026, 2840-7027, 2840-7993, 2850-
1559 6967, 2850-9951, 2890-2023, 2890-2040, 2890-7010, 2890-7011, 2890-7020, 2890-7035, 6720-
1560 1335, 7100-3022, 9300-3909, 9300-7010, 9300-7030, 9300-7031, 9300-7909, 9300-7918, 9300-
1561 7919.

1562 SECTION 77. The first state plan required by section 15 of this act shall be completed by
1563 September 16, 2018.

1564 SECTION 78. Any person serving as an inspector of animals on the date of enactment
1565 shall, within 1 year of enactment, complete all state-funded training that the director of animal
1566 health determines is required for newly appointed inspectors of animals under the authority of
1567 section 22.

1568 SECTION 79. Section 9 and sections 24 to 66, inclusive, shall take effect 90 days after
1569 the effective date of this act.

1570 SECTION 80. The executive office of energy and environmental affairs shall submit an
1571 annual report detailing the progress of any projects funded through the authorizations of this act
1572 to the chairs of the joint committee on environment, natural resources and agriculture; the chairs
1573 of the senate and house committees on bonding; and the clerks of the house of representatives
1574 and the senate. The report shall include, but not be limited to, description of the project or
1575 projects, previous year planned spending, previous year spending, current year planned spending,

1576 current year spending to date, original estimated project cost, total project cost to date, type of
1577 spending, type of asset, and predicted useful life of the project once completed. The initial report
1578 shall be submitted no later than December 30, 2018, and subsequent reports shall be submitted
1579 no later than June 30 of every year thereafter for a period of 10 years after the effective date of
1580 this act.

1581 SECTION 81. Chapter 92 of the General Laws is hereby amended by inserting after
1582 section 34C the following section:-

1583 Section 34D. Notwithstanding any general or special law or administrative bulletin to the
1584 contrary and pursuant to section 34, there is hereby established and set up on the books of the
1585 commonwealth a separate fund, to be known as the Christian A. Herter Park Trust Fund, which
1586 shall be used for the purposes of advancing recreational, educational and conservation interests,
1587 including, but not limited to, the construction and maintenance of facilities and infrastructure
1588 improvements for Christian A. Herter Park within the Charles River Reservation; and provided
1589 further, that not less than 50 percent of said trust be used for the Friends of Herter Park, Inc. a
1590 501(c)3 non-profit organization. The trust shall receive, hold and expend all fees generated by
1591 permits, licenses and all other agreements not currently being directed to the General Fund
1592 relating to the use of the Herter Park land as authorized by the commission. The department shall
1593 not make expenditures from this fund so as to cause the fund to be deficient.

1594 SECTION 82. Notwithstanding any general or special law to the contrary, the director of
1595 the division of marine fisheries, in consultation with the commissioner of the department of fish
1596 and game, shall, by June 14, 2019, conduct and publish a study of the current lobster fishery and
1597 provide a recommendation as to the advisability of enacting statutory and regulatory changes to

1598 allow the processing of lobster parts, other than lobster tails weighing 3 ounces or more, for sale
1599 in the commonwealth. The study shall include an economic and market analysis of potential
1600 impacts and benefits, assessment of potential state and federal law enforcement issues associated
1601 with a change in legislation or regulations, an assessment on the impacts of such changes on
1602 inter-jurisdictional fisheries management and a review and analysis of the potential biological
1603 and population dynamics of the species known as *Homarus americanus* as a result of such
1604 changes.

1605 SECTION 83. Chapter 123 of the Acts of 2006 is hereby amended in section 112 by
1606 striking the words "chapter 149" in the second sentence and inserting in place thereof the words
1607 "chapter 30 and chapter 149".

1608 SECTION 84. Chapter 123 of the Acts of 2006 is hereby amended by adding into the
1609 second sentence of Section 112 the words "and chapter 30" after the words "chapter 149".

1610 SECTION 85. Chapter 29 of the General Laws is hereby amended by inserted after
1611 section 2VVVV the following section:-

1612 Section 2WWWW. There shall be established and set up on the books of the
1613 commonwealth a separate fund to be known as the Mohawk Trail Woodlands Partnership Fund,
1614 hereafter referred to as the Mohawk Trail Woodlands Partnership Fund. The fund shall be
1615 administered by the Mohawk Trail Woodlands Partnership Board as established by the special
1616 act creating such board. There shall be credited into the fund revenues or other financing sources
1617 directed to the fund by appropriation, bond revenues or other monies authorized by the general
1618 court and specifically designated to be credited to that fund, any income derived from the
1619 investing of amounts credited to the fund and the monies from the repayment of loans from the

1620 fund, funds from public or private sources, including, but not limited to, gifts, federal or private
1621 grants, donations, rebates and settlements received by the commonwealth that are specifically
1622 designated to be credited to the fund and all other amounts credited or transferred into the fund
1623 from any other source. Amounts credited to said fund shall be held in an expendable trust and
1624 shall be used solely for implementing the purposes and administration of Mohawk Trail
1625 Woodland Partnership as set forth in the special act creating such partnership. Unexpended funds
1626 shall be allowed to carry over from year to year and be expended in subsequent years without
1627 appropriation. No expenditure from the fund shall cause it to be in deficiency.

1628 SECTION 86. To capitalize the Mohawk Trail Woodland Partnership Fund established in
1629 section 2WWW of Chapter 29 of the General Laws and support the goals of the Mohawk Trail
1630 Woodland Partnership, the Partnership may receive funds from general appropriations, capital
1631 expenditure authorizations, grants or a combination of the three.

1632 SECTION 87. (a) For the purposes of this section, the following terms shall, unless the
1633 context clearly requires otherwise, have the following meanings:-

1634 “Participating Communities”, municipalities within the Mohawk Trail Woodlands
1635 Partnership Eligibility Area that affirmatively vote to participate in the activities of the Mohawk
1636 Trail Woodlands Partnership as described in subsection (c).

1637 “Partnership”, a cooperative association among those entities and individuals working
1638 collaboratively to achieve the purposes described in subsection (b) in the Mohawk Trail
1639 Woodlands Partnership Area as described in subsection (c).

1640 “Permanently protected open space”, land permanently protected from development and
1641 includes state parks, state forests and state wildlife management areas, federally conserved land,

1642 land owned by conservation organizations for conservation purposes, town or city owned land
1643 under the jurisdiction of the town or city conservation commission for park or conservation use,
1644 and privately-owned farm and forestland protected through the Agricultural Preservation
1645 Restriction Program or a conservation restriction.

1646 “Sustainable forest management”, the carefully planned growing, management,
1647 monitoring, harvesting and regeneration of woodlands that conserves or promotes biological
1648 diversity, ecological functions, soil productivity, water and air quality, carbon sequestration and
1649 storage, and cultural resources and recreational use of the forest while also providing a
1650 continuous yield of a range of useable forest products. Sustainable forest management also
1651 considers the surrounding forest landscape.

1652 (b) The purposes of the Mohawk Trail Woodlands Partnership are:

1653 (1) to support and expand sustainable forest management to enhance public benefits,
1654 including but not limited to, outdoor recreation opportunities, air and water quality, watershed
1655 management, soil conservation, biological diversity, carbon sequestration and storage, fish and
1656 wildlife habitat, forest products and forestry related jobs and to increase the resiliency of forests
1657 to threats such as fire, ice, wind, insects, disease and invasive pests and plants;

1658 (2) to increase forest land conservation through conservation restrictions that encourage
1659 and support sustainable forest management practices and intact forest ecosystems;

1660 (3) to support and increase sustainable natural resource based economic development
1661 and employment;

1662 (4) to support and provide comprehensive education and visitor information programs to
1663 increase public understanding of and appreciation for the ecological, recreational and economic
1664 benefits of forests;

1665 (5) to support and promote the long term social and fiscal sustainability of the
1666 Participating Communities in the area; and

1667 (6) to create a long-term partnership between towns and cities, regional and other
1668 organizations with a presence in the region, educational institutions, the executive office of
1669 energy and environmental affairs, and the United States Forest Service.

1670 (c) (1) To achieve the purposes identified in subsection (b) there is hereby established the
1671 Mohawk Trail Woodlands Partnership Area, which shall consist of 2 separate boundaries: (i)
1672 the Mohawk Trail Woodlands Partnership Eligibility Area; and (ii) the Mohawk Trail
1673 Woodlands Partnership Activities Area.

1674 (2) The Mohawk Trail Woodlands Partnership Eligibility Area shall be comprised of the
1675 lands defined by the municipal boundaries of Adams, Cheshire, Clarksburg, Florida, New
1676 Ashford, North Adams, Peru, Savoy, Williamstown and Windsor in Berkshire county, and
1677 Ashfield, Buckland, Charlemont, Colrain, Conway, Hawley, Heath, Leyden, Monroe, Rowe, and
1678 Shelburne in Franklin county.

1679 (3) The Mohawk Trail Woodlands Partnership Activities Area shall consist of the land in
1680 those municipalities described in the Mohawk Trail Woodlands Partnership Eligibility Area that
1681 have taken an affirmative vote of a town meeting or board of selectmen in towns or city council
1682 or mayor in cities to participate in the activities of the Mohawk Trail Woodlands Partnership as
1683 specified in the Partnership Plan as defined in subsection (g).

1684 (4) Municipalities within the Mohawk Trail Woodlands Partnership Eligibility Area shall
1685 have 2 years after the effective date of this act to affirmatively vote to participate in the activities
1686 of the Mohawk Trail Woodlands Partnership and become Participating Communities.
1687 Notwithstanding the preceding sentence, if a municipality within the Mohawk Trail Woodlands
1688 Partnership Eligibility Area does not vote affirmatively to participate in the activities of the
1689 Mohawk Trail Woodlands Partnership within 2 years after the effective date of this act, the
1690 municipality may affirmatively vote to become a Participating Community after 5 years have
1691 passed from the effective date of this act.

1692 (5) The Mohawk Trail Woodlands Partnership Eligibility Area and the Mohawk Trail
1693 Woodlands Partnership Activities Area may be expanded 5 years after enactment of this
1694 legislation by a 2/3 vote of the entire partnership board, established pursuant to Subsection (e),
1695 and a majority vote of the partnership board members from the Participating Communities after
1696 the establishment of criteria for expansion by said partnership board. Criteria for expansion
1697 should include such factors as geographic proximity, forestry and natural resources, and financial
1698 capacity of the partnership.

1699 (d) (1) Programs and activities of the Mohawk Trail Woodlands Partnership shall, to the
1700 extent possible, be conducted in partnership and collaboration between the units of federal, state
1701 and local government, including but not limited to the United States Forest Service, the
1702 commonwealth and its applicable subdivisions and others in accordance with the integrated
1703 partnership plan specified in subsection (g).

1704 (2) Nothing in this section shall be construed to diminish, enlarge, or modify any right of
1705 the federal government, the commonwealth or any political subdivision thereof, to exercise civil

1706 and criminal jurisdiction or to carry out federal, state, or local laws, rules, and regulations within
1707 the lands and waters included in the Mohawk Trail Woodlands Partnership Eligibility Area.

1708 (e) (1) After 11 municipalities within the Mohawk Trail Woodlands Partnership
1709 Eligibility Area, as defined in subsection (c)(2), affirmatively vote to become Participating
1710 Communities, there shall be established the Mohawk Trail Woodlands Partnership Board whose
1711 purpose shall be to coordinate the partnership activities of participating federal, state, and local
1712 authorities and the private sector in the development and implementation of the programs and
1713 activities identified in an integrated partnership plan for the Mohawk Trail Woodlands
1714 Partnership Activities Area.

1715 (2) The partnership board shall be composed of the following members:

1716 (A) One individual, appointed by the respective board of selectmen or mayor, from each
1717 of the Participating Communities.

1718 (B) One individual, appointed by the Chief of the United States Forest Service, to
1719 represent the United States Forest Service, provided that Federal legislation is enacted that
1720 authorizes the participation of the United States Forest Service.

1721 (C) One individual, appointed by the secretary of energy and environmental affairs, to
1722 represent the executive office of energy and environmental affairs.

1723 (D) One individual, appointed by the executive director of the Franklin Regional Council
1724 of Governments to represent the Franklin Regional Council of Governments.

1725 (E) One individual, appointed by the executive director of the Berkshire Regional
1726 Planning Commission, to represent the Berkshire Regional Planning Commission.

1727 (F) One individual, appointed by action of the board of directors of the Massachusetts
1728 Forest Alliance Limited, to represent the Massachusetts Forest Alliance Limited.

1729 (G) One individual, appointed by action of the chair of the Massachusetts Chapter of the
1730 Yankee Division of the New England Society of American Foresters, to represent the
1731 Massachusetts Chapter of the Yankee Division of the New England Society of American
1732 Foresters.

1733 (H) One individual, appointed by action of the board of directors of the Franklin Land
1734 Trust, Inc., to represent the Franklin Land Trust.

1735 (I) One individual, appointed by action of the board of directors of the Berkshire Natural
1736 Resources Council, Inc., to represent the Berkshire Natural Resources Council.

1737 (J) One individual, appointed by action of the board of directors of the Greater
1738 Shelburne Falls Area Business Association, Inc., to represent the Greater Shelburne Falls Area
1739 Business Association.

1740 (K) One individual, appointed by action of the board of directors of Lever, Inc., to
1741 represent Lever, Inc.

1742 (L) One individual, appointed by action of the board of directors of the Deerfield River
1743 Watershed Association, Inc., to represent the Deerfield River Watershed Association.

1744 (M) One individual, appointed by action of the board of directors of the Hoosic River
1745 Watershed Association, Inc., to represent the Hoosic River Watershed Association.

1746 (N) One individual whom shall be a University of Massachusetts at Amherst School of
1747 Public Health and Health Sciences faculty member specializing in public health, appointed by
1748 the chancellor of the University of Massachusetts at Amherst, or by the chancellor's designee.

1749 (O) One individual whom shall be a University of Massachusetts at Amherst faculty
1750 member specializing in ecosystem functions, carbon cycling in terrestrial systems and climate
1751 change as it relates to forests, appointed by the chancellor of the University of Massachusetts at
1752 Amherst, or by the chancellor's designee.

1753 (P) Should the names of any entity of the aforementioned members change, the
1754 replacement entity shall be considered a member subject to the appointment of the appointing
1755 authority of that entity.

1756 (Q) Should any of the entities of the aforementioned members cease to exist, the
1757 partnership board may, by majority vote, name a like entity to represent the interests of the
1758 original member entity represented.

1759 (R) The partnership board may, by 2/3 vote, allow additional members to the partnership
1760 board, provided the mission of the additional member aligns with the purposes identified in
1761 subsection (b) and also provided that no additional members shall be allowed if the total number
1762 of members from those entities identified in clauses (B) through (Q), exceeds those identified in
1763 clause (A).

1764 (3) (A) Members of the partnership board shall serve for terms of 3 years or until another
1765 representative is appointed from said appointing entity.

1766 (B) Members may be re-appointed to serve for multiple terms.

1767 (4) The partnership board shall elect 1 of its members as chairperson and 1 as vice
1768 chairperson. The term of office of the chairperson and vice chairperson shall be 3 years. The vice
1769 chairperson shall serve as chairperson in the absence of the chairperson.

1770 (5) Any vacancy on the partnership board shall be filled in the same manner in which the
1771 original appointment was made.

1772 (6) The partnership board shall meet no less than 2 times per year or at the call of the
1773 chairperson or a majority of its members. Meetings shall be open to the public.

1774 (7) A majority of the partnership board members shall constitute a quorum. For the
1775 purposes of meeting quorum requirements, vacancies shall not be counted to determine a
1776 majority.

1777 (8) Each member of the partnership board shall be entitled to 1 vote which shall be equal
1778 to every other member of the partnership board. All matters considered by the partnership board
1779 shall be decided by an affirmative vote of a minimum of a majority of the members present,
1780 except for those actions requiring a 2/3 vote as specified in this act.

1781 (9) The partnership board shall:

1782 (A) initiate the development and review of and approve the partnership plan as defined in
1783 subsection (g);

1784 (B) oversee implementation of the partnership plan as defined in subsection (g);

1785 (C) annually review and approve an annual budget that identifies the sources and uses of
1786 funds to implement the partnership plan. Said annual budget shall indicate funding levels for
1787 each of the purposes identified in subsection (b);

1788 (D) designate a legally established entity to serve as the administrative agent for the
1789 Mohawk Trail Woodlands Partnership as set forth in subsection (f); and

1790 (E) designate a legally established entity to serve as the fund manager for the Mohawk
1791 Trail Woodlands Partnership Fund.

1792 (10) The partnership board shall establish an executive committee of the members of the
1793 partnership board. The executive committee shall consist of 5 members.

1794 (A) The executive committee members shall consist of: 2 members appointed pursuant to
1795 clause (A) of paragraph (2) to be elected by the partnership board; 1 member from the United
1796 States Forest Service appointed pursuant to clause (B) of paragraph (2); 1 member from the
1797 executive office of energy and environmental affairs appointed pursuant to clause (C) of
1798 paragraph (2); and 1 member from the remaining members of the partnership board, appointed
1799 pursuant to clauses (D) to (P), inclusive, of paragraph (2), to be selected by the partnership
1800 board. The partnership board chair shall automatically be a member of the executive committee
1801 thereby filling the executive committee membership requirement for that membership slot, such
1802 that, if the partnership board chair is a member from a municipality appointed pursuant to clause
1803 (A) of paragraph (2), there shall only be 1 other member from a municipality appointed pursuant
1804 to said clause (A) of said paragraph (2) on the executive committee and such that if the
1805 partnership board chair is a member appointed pursuant to clauses (D) to (P) inclusive, of said
1806 paragraph (2) that member shall fulfill the executive committee membership requirement for
1807 members appointed pursuant to clauses (D) to (P), inclusive, of said paragraph (2).

1808 (B) The executive committee shall provide direction to the administrative agent to
1809 conduct activities as described in subsection (f).

1810 (C) The executive committee shall approve expenditures of the administrative agent as
1811 they relate to the implementation of the partnership plan.

1812 (D) The executive committee shall approve the staff of the administrative agent working
1813 to implement the partnership plan.

1814 (E) The executive committee shall provide regular reports to the partnership board.

1815 (F) The executive committee may assume other responsibilities necessary to implement
1816 the partnership plan.

1817 (11) The partnership board shall prepare and adopt, by a 2/3 vote, bylaws covering
1818 regular operating practices of the partnership board and the executive committee of the
1819 partnership board.

1820 (f) (1) Within 1 year after the date of the establishment of the Mohawk Trail Woodlands
1821 Partnership Board and receipt of any federal or state appropriation, the Mohawk Trail
1822 Woodlands Partnership Board shall designate an existing or newly created non-profit entity to
1823 serve as the administrative agent for the Mohawk Trail Woodlands Partnership. Provided
1824 funding is available, the administrative agent shall, under the direction of the partnership board,
1825 implement the partnership plan. The Mohawk Trail Woodlands Partnership Board shall have the
1826 authority to designate a different entity as administrative agent by a 2/3 vote.

1827 (2) The administrative agent shall, with the approval of the executive committee, be
1828 entitled to receive and expend funds from the Mohawk Trail Woodlands Partnership Fund,
1829 subject to the requirements set forth subsection (h) for the purposes of implementing the
1830 partnership plan.

1831 (3) For the purposes of implementing the partnership plan described in subsection (g)
1832 and notwithstanding any other provision of law, the administrative agent of the partnership may
1833 seek and accept donations of funds, grants, revenue, property, or services from individuals,
1834 foundations, corporations, and other private and public entities for the purpose of carrying out
1835 the partnership plan.

1836 (4) For purposes of implementing the partnership plan described in subsection (g), the
1837 administrative agent of the partnership may enter into cooperative agreements with the federal
1838 government, the commonwealth, any political subdivision thereof, or with any organization or
1839 person.

1840 (5) The administrative agent of the partnership shall provide the partnership with such
1841 staff and technical assistance considered appropriate to enable the implementation of the
1842 partnership plan described in subsection (g). The administrative agent of the partnership may
1843 accept the services of personnel detailed from the United States Forest Service, including any
1844 branch or division of the United States Forest Service, the commonwealth, any political
1845 subdivision of the commonwealth, any entity represented on the partnership board or any other
1846 entity whose mission aligns with the purposes defined in subsection (b) , subject to the approval
1847 of the partnership board.

1848 (6) The administrative agent of the partnership may obtain by purchase, rental, donation,
1849 or otherwise, such property, facilities, and services, including the acquisition of real property or
1850 interest in real property, as may be needed to implement the partnership plan.

1851 (g) (1) Within 3 years after the establishment of the Mohawk Trail Woodlands
1852 Partnership Board and receipt of sufficient federal or state appropriations, the Mohawk Trail

1853 Woodlands Partnership shall develop a partnership plan for the Mohawk Trail Woodlands
1854 Partnership Activities Area to be implemented by the partnership.

1855 (2) The partnership plan shall include but not be limited to each of the following:

1856 (A) A resource assessment to include:

1857 (i) an assessment of natural resources, including forest resources, agricultural resources,
1858 water resources, important natural habitat areas, and rare and important species;

1859 (ii) an identification of conserved lands, including permanently protected open space and
1860 temporarily conserved lands; and

1861 (iii) an assessment of recreational resources, including trails and associated recreational
1862 support facilities.

1863 (B) A socio-economic assessment of the participating municipalities, including
1864 population, income and employment;

1865 (C) A fiscal assessment of the municipalities in the Mohawk Trail Woodlands
1866 Partnership Activities Area to include an assessment of municipal revenue, expenditures,
1867 services and taxes;

1868 (D) An assessment of existing programs and activities and associated entities, offered in
1869 the Mohawk Trail Woodlands Partnership Activities Area including local, state, and federal
1870 governmental units, nonprofit organizations and private interests that align with the purposes
1871 defined in subsection (b);

1872 (E) An identification of policies, programs and activities to achieve the purposes defined
1873 in subsection (b), including those to:

1874 (i) support and expand sustainable forest management practices in the Mohawk Trail
1875 Woodlands Partnership Activities Area;

1876 (ii) increase forest land conservation in the Mohawk Trail Woodlands Partnership
1877 Activities Area;

1878 (iii) support and increase sustainable natural resource based economic development and
1879 employment, including natural resource-based tourism, in the Mohawk Trail Woodlands
1880 Partnership Activities Area;

1881 (iv) support educational and visitor information related to the Mohawk Trail Woodlands
1882 Partnership Activities Area;

1883 (v) support and promote the long term social and fiscal sustainability of the participating
1884 municipalities in the Mohawk Trail Woodlands Partnership Activities area;

1885 (vi) support and promote forest resilience and carbon sequestration and storage in the
1886 Mohawk Trail Woodlands Partnership Activities Area; and

1887 (vii) define, quantify and support forest ecosystems in the Mohawk Trail Woodlands
1888 Partnership Activities Area.

1889 (F) A coordination and consistency component which details the ways in which
1890 programs, activities and policies of local, state, and federal governmental units, nonprofit
1891 organizations and private entities may best be coordinated to implement the partnership plan.

1892 (G) A financial component, which details the costs and revenues of implementing the
1893 partnership plan, including, but not limited to:

1894 (i) costs to implement each of the programs and activities identified in clause (E);
1895 (ii) associated capital costs;
1896 (iii) associated operational costs, including costs of the administrative agent as defined in
1897 subsection (f);
1898 (iv) any anticipated extraordinary or continuing costs;
1899 (v) details of the sources of revenue, including, but not limited to appropriations from
1900 state and federal departments and agencies, investment or interest income, including receipts
1901 from the Mohawk Trail Woodlands Partnership Fund, grants, donations, loans, loan repayments,
1902 receipts from the private sector, receipts from any income-producing venture undertaken by the
1903 partnership, and other sources of revenue;

1904 (vi) a 5 year timetable of projected revenues and expenditures; and
1905 (vii) an identification of the projected revenue, including amounts and projected earnings
1906 from the Mohawk Trail Woodlands Partnership Fund, to ensure the purposes of this section are
1907 sustained in perpetuity.

1908 (3) In developing the partnership plan, the partnership shall:

1909 (A) consult with appropriate officials of any local government or federal or state agency;
1910 (B) consult with interested conservation, business, professional, and citizen
1911 organizations; and

1912 (C) conduct open meetings advertised to the public in the Participating Communities for
1913 the purposes of providing interested persons with the opportunity to comment on items contained
1914 in the partnership plan.

1915 (4) The partnership board shall have authority to approve or disapprove the partnership
1916 plan.

1917 (5) The partnership board shall review the partnership plan, no less than annually. The
1918 partnership plan shall be updated no less than every 10 years except that the partnership board
1919 may by majority vote request the entire partnership plan or sections of the partnership plan be
1920 updated at any time.

1921 (h) (1) For the purposes of carrying out this section, the Mohawk Trail Woodlands
1922 Partnership Fund, may accept and receive receipts and donations of funds from:

1923 (i) any public or private source, including but not limited to gifts, grants, property,
1924 supplies, revenue, or services from individuals, foundations, corporations, and other private or
1925 public entities, including the commonwealth and agencies of the federal government;

1926 (ii) federal appropriations if authorized by companion federal law, federal
1927 reimbursements and grant-in-aid; and

1928 (iii) interest and investment income earned from the Mohawk Trail Woodlands
1929 Partnership Fund.

1930 (2) Receipts into the Mohawk Trail Woodlands Partnership Fund may be invested to
1931 generate income which may be utilized for any purpose consistent with the purposes of this act.

1932 Preference for investments of the Mohawk Trail Woodlands Partnership Fund shall be given to
1933 those that advance the purposes set forth in subsection (b).

1934 (3) Funds from the Mohawk Trail Woodlands Partnership Fund shall be used as defined
1935 in the Partnership Plan, as updated or amended and may include establishment of or support for
1936 the following:

1937 (i) An Investment Trust Fund, hereafter referred to as the Investment Trust Fund, to
1938 maintain the long term sustainability of the Mohawk Trail Woodlands Partnership. A sufficient
1939 amount of funding shall be invested and maintained in the Investment Trust Fund, as stated in
1940 the bylaws, to ensure the purposes of this section and the activities of the partnership are
1941 sustained in perpetuity.

1942 (ii) A multi-purpose center, known as the “Mohawk Trail Forest Center” to provide
1943 tourism services, technical assistance to forestry and tourism businesses and forest landowners,
1944 technical assistance on implementing sustainable forest management practices, technical
1945 assistance with selling carbon credits from private and municipal forests credits, research and
1946 development, marketing, public education and space for the Administrative Agent as described
1947 in subsection (f);

1948 (iii) One or more demonstration and research forests including those to be established
1949 through agreement with the United States Forest Service or the executive office of energy and
1950 environmental affairs and its agencies, or both the United States Forest Service or the executive
1951 office of energy and environmental affairs, on an appropriate parcel of private, municipal or state
1952 land to be used to research and demonstrate exemplary sustainable forest management practices
1953 to other landowners and the public via tours, publications and other educational tools;

1954 (iv) Forest land conservation via permanent conservation restrictions pursuant to sections
1955 31, 32 and 33 of chapter 184 of the general laws to be held by a municipality or a qualified non-
1956 profit conservation land trust with a presence in the region or the commonwealth and associated
1957 restriction monitoring according to a model conservation restriction contained in the partnership
1958 plan provided that boards of selectmen, in the case of a town, or the mayor, in the case of a city,
1959 in participating municipalities where more than 40 per cent of the total land area of the
1960 municipality is permanently protected open space must approve the purchase of a permanent
1961 conservation restriction for any land receiving funds from the Mohawk Trail Woodlands
1962 Partnership Fund;

1963 (v) Revolving Loan Fund program to support natural resource and forest dependent
1964 businesses, provided that any related forest management must use sustainable forest management
1965 practices;

1966 (vi) Forest Viability Program with grants provided to forest based businesses or
1967 landowners in exchange for temporary conservation restrictions on land development, provided
1968 that any related forest management must use sustainable forest management practices;

1969 (vii) Municipal Cooperative Agreements that provide annual grants to participating
1970 municipalities to support municipal services or operations related to the purposes of the
1971 partnership as defined in subsection (b);

1972 (viii) Forest management plans that incorporate sustainable forest management practices,
1973 and other planning assistance, for landowners;

1974 (ix) Natural resource based recreation and tourism including promotion; and

1975 (x) Reimbursement of costs incurred by the administrative agent, as defined in subsection
1976 (f), for activities related to the partnership.

1977 (4) A qualified fund manager shall be selected by the partnership board to manage the
1978 Investment Trust Fund, identified in section (h)(3)(i), according to appropriate standards to
1979 achieve a rate of return consistent with the safety of the fund and with a preference for local and
1980 regional investments that advance the purposes of the partnership set forth in subsection (b). Said
1981 fund manager shall prepare an annual report to the partnership board on said Investment Trust
1982 Fund.

1983 (5) There shall be an independent audit prepared annually for the Mohawk Trail
1984 Woodlands Partnership Fund and associated Investment Trust Fund.

1985 (6) Should the Mohawk Trail Woodlands Partnership cease to exist, the Mohawk Trail
1986 Woodlands Partnership Fund and associated Investment Trust Fund shall be dissolved and assets
1987 dispersed according to applicable state and federal law.

1988 (i) No funds may be appropriated through this legislation for the United States
1989 Government and its agency, the United States Forest Service to hold a fee interest in any real
1990 property in the Mohawk Trail Woodlands Partnership Activities Area.

1991 (ii) No funding received or expended by the partnership shall be used for the construction
1992 or operation of a wood pellet or biomass manufacturing facility.