

HOUSE No. 5510

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 16, 2026.

The committee on Ways and Means, to whom was referred the Senate Bill to build resilience for Massachusetts communities (Senate, No. 3064), reports recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5510 [Bond Issue: General Obligation Bonds: \$3,078,457,500.00].

For the committee,

AARON MICHLEWITZ.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

By striking out all after the enacting clause and inserting in place thereof the following:—

1 SECTION 1. To provide for a program of climate change adaptation, resiliency and the
2 preservation and improvement of environmental and recreation assets of the commonwealth,
3 sections 2 to 2G, inclusive, for the several purposes and subject to the conditions specified in this
4 act, are hereby made available, subject to the laws regulating the disbursement of public funds.
5 These sums shall be in addition to any amounts previously authorized and made available for the
6 purposes of those items. The sums set forth in sections 2 to 2G, inclusive, shall be made
7 available until June 30, 2032.

8 SECTION 2.

9 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

10 *Department of Conservation and Recreation*

11 2800-1123 For the acquisition of land and interests in land by the department of
12 conservation and recreation and for associated costs including planning, study, due diligence,
13 title and appraisal services, site restoration and stewardship including, but not limited to, coastal
14 land acquisition and securing access to protected coastal lands and lands to provide for the inland

15 movement of coastal habitats; provided, that funds may be used for capital investments related to
16 the stewardship of the land; and provided further, that funds may be used for the restoration and
17 reclamation of acquired land, including demolition of structures, removal of debris, eradication
18 of non-native species and other services essential to these reclamation efforts.....\$40,000,000

19 2800-7024 For a forestry and tree planting program for projects throughout the
20 commonwealth including, but not limited to, the evaluation and planning of forestry and tree
21 planting projects, tree stock, planting and associated costs; provided, that the secretary of energy
22 and environmental affairs shall grant priority to the planting of trees that are in areas: (i)
23 experiencing heat island effects; (ii) underserved with tree cover; (iii) with disadvantaged
24 populations; (iv) affected by severe weather events or insect infestation; (v) where aquifers,
25 recharge areas, wells, reservoirs and other water bodies are located that will improve and protect
26 water quality as part of a natural ecosystem; and (vi) that will further climate change mitigation,
27 adaptation and resiliency strategies; provided, that the secretary may provide guidance for
28 coordination between municipal and utility stakeholders on incorporating utility gas leaks data
29 into planning for street tree planting projects and for testing street tree pits for methane before
30 planting; and provided further, that funds from this item may be expended to provide grants,
31 technical assistance or other support to landowners to undertake capital projects including, but
32 not limited to, sustainable forest management and long-term conservation practices, to protect
33 the ecological integrity of the commonwealth’s forestlands under the Forests as Climate
34 Solutions initiative.....\$20,000,000

35 2800-7026 For the: (i) design, construction, maintenance, repair, removal and
36 improvements of state-owned or abandoned dams identified by the office of dam safety,
37 including improvements to the aquatic habitat, inland flood control projects and projects for

38 related facilities and equipment; (ii) design, construction, maintenance, repair or improvement of
39 the department of conservation and recreation’s coastal and marine infrastructure and coastal
40 ecological resources including, but not limited to, shore protection, docks, piers, culverts,
41 beaches, dunes and salt marshes; and (iii) navigational and ecological performance of the
42 commonwealth’s tidal and nontidal waterways; provided, that the department of conservation
43 and recreation shall give priority to dams and flood control projects that pose the greatest risk to
44 public health or safety, or to the environment; provided further, that the secretary of energy and
45 environmental affairs may provide guidance for planning, prioritizing, selecting and
46 implementing projects in furtherance of the goals of the state hazard mitigation and climate
47 change adaptation plan.....\$308,100,000

48 2840-7028 For the study, planning, permitting, design, construction, reconstruction,
49 repair, removal, demolition, improvement, furnishing, equipping or rehabilitating of department
50 of conservation and recreation properties including, but not limited to, reservations, facilities
51 infrastructure, forests, parks, campgrounds, comfort stations, harbor islands, skating rinks, skate
52 parks, swimming and wading pools, spray parks, golf courses, tennis courts, basketball courts,
53 ball fields, playgrounds, exercise and fitness paths, tracks, other recreational facilities, historic
54 sites, beaches and storage buildings, office buildings, visitor centers, fire towers, maintenance
55 facilities and other park buildings, structures, equipment, including upgrades to information
56 technology equipment to be considered in consultation with the secretary of technology services
57 and security and for the planning, design, acquisition, construction, reconstruction, repair,
58 removal, improvement or rehabilitation of bike paths, greenways, accessible trails, recreational
59 trails and equipment; provided, that the secretary of energy and environmental affairs may
60 provide guidance for planning, prioritizing, selecting and implementing capital projects in

61 furtherance of the goals of climate change mitigation and adaptation consistent with the state
62 hazard mitigation and climate change adaptation plan and in support of disadvantaged
63 populations; provided further, that funds may be expended to support municipal equipment needs
64 for combating wildland and forest fires; provided further, that the department of conservation
65 and recreation may expend funds for technical assistance and grants to public and nonpublic
66 entities in accordance with rules and regulations adopted by the department to implement this
67 item; provided further, that in expending funds under this item, the commissioner shall prioritize
68 public health and safety and capital to maintain public assets.....\$293,687,500

69 2890-7036 For the study, planning, permitting, design, engineering, construction,
70 reconstruction, repair, improvement or rehabilitation of department of conservation and
71 recreation roadway, bridge and path of travel related infrastructure including, but not limited to,
72 parkways, boulevards, multi-use trails, roads within state parks, transportation infrastructure,
73 recreational trails, pedestrian bridges and related appurtenances and equipment; provided, that
74 funds may be expended for pedestrian and bicycle safety, traffic calming, landscape
75 improvements, street lighting, safety equipment and accessibility; provided further, that all work
76 funded by this item shall be carried out according to standards developed by the department
77 pursuant to historic parkways preservation treatment guidelines to protect the scenic and historic
78 integrity of the bridges and parkways under its control; and provided further, that the secretary of
79 energy and environmental affairs may provide guidance for planning, prioritization, selection
80 and implementation of projects in furtherance of the state hazard mitigation and climate change
81 adaptation plan and in support of disadvantaged populations.....\$176,670,000

82 SECTION 2A.

83 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

84 *Department of Environmental Protection*

85 2200-7026 For the assessment, containment, monitoring, cleanup, control, public
86 participation, removal of or response actions concerning oil or hazardous materials or for any
87 other action necessary to implement chapter 21E of the General Laws and the Massachusetts
88 Contingency Plan established pursuant to said chapter 21E.....\$42,000,000

89 2200-7027 For capital investments in air, water and land resource protection, climate
90 adaptation and decarbonization and ensuring access to clean water and air including, but not
91 limited to, energy, climate and environmental projects and programs that optimize and preserve
92 environmental quality and public health and that provide for appropriate protection, restoration,
93 management and best use of air, water and land resources, assets and infrastructure including,
94 but not limited to, upgrades to laboratory equipment, projects related to nonpoint and point
95 sources of water pollution and the wetlands circuit rider program; provided, that funds may be
96 used to provide grants to public and nonpublic entities and tribal governments for the protection
97 and restoration of the commonwealth’s environmental resources to invest in efficient and
98 effective mitigation projects and initiatives to restore and preserve the commonwealth’s air,
99 climate, energy, water and land resources, assets and infrastructure; and provided further, that the
100 secretary of energy and environmental affairs may provide guidance for planning, prioritization,
101 selection and implementation of projects in furtherance of the goals of climate change mitigation,
102 resiliency and adaptation.....\$27,800,000

103 2200-7028 For the assessment, containment, monitoring, cleanup and closure of
104 existing or closed solid waste facilities causing or threatening to cause pollution pursuant to

105 section 4 of chapter 21H of the General Laws and for capital expenditures associated with
106 composting, recycling and waste reduction programs consistent with the comprehensive
107 statewide master plan for solid waste disposal established pursuant to section 21 of chapter 16 of
108 the General Laws.....\$28,100,000

109 2200-7029 For investments in clean water and drinking water infrastructure by the
110 department of environmental protection to address per- and polyfluoroalkyl substance (PFAS)
111 contamination of public water supplies, private wells or imminent hazard conditions pursuant to
112 section 3A of chapter 21E of the General Laws including, but not limited to, planning,
113 construction, replacement, repair or modernization of infrastructure that enhances ground and
114 surface water resources, ensures the safety of drinking water or protects public health; provided,
115 that funds in this item may be used for response actions that create a capital asset or result in
116 improvements to capital assets including, but not limited to, installing filters or other treatment
117 systems, excavation, covering and fencing contaminated soil and associated planning and
118 design.....\$120,000,000

119 2200-7031 For grants to support municipal flood risk protection programs; provided,
120 that priority may be given to flood control projects that pose the greatest risk to public health or
121 safety, or to the environment; provided further, that starting December 31, 2026, the department
122 of environmental protection shall submit semi-annual reports to the house and senate committees
123 on ways and means on: (i) the total number of grants issued; (ii) the amounts granted to each
124 municipality; (iii) the types of flood mitigation programs the grants support; and (iv) the number
125 of grant applications.....\$75,000,000

126 SECTION 2B.

127 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

128 *Department of Fish and Game*

129 2300-0422 For the acquisition of land and interests in land by the department of fish
130 and game and for associated costs including, but not limited to, planning, studies, due diligence,
131 title and appraisal services, site restoration and stewardship; provided, that such lands may be
132 purchased after approval by the commissioner of fish and game; provided further, that funds may
133 be expended on the development and implementation of a capital stewardship program on lands
134 under the care and control of the department of fish and game and its divisions; provided further,
135 that funds may be used for restoration, repair and reclamation of acquired land including, but not
136 limited to, demolition of structures, removal of debris, eradication of nonnative species and other
137 capital investments essential to the reclamation efforts; and provided further, that projects may
138 be carried out with other public and nonpublic entities including, but not limited to, federal and
139 state agencies, municipalities, nonprofit and conservation organizations, public and private land
140 owners and tribal governments.....\$53,500,000

141 2300-7019 For planning, design, engineering, construction, reconstruction,
142 renovation, repair, demolition, acquisition, enhancements, improvements, removal and
143 replacement of the infrastructure, facilities and equipment under the care and control of the
144 department of fish and game and its divisions including, but not limited to, buildings and other
145 structures, education centers, district headquarters, hatchery facilities, offices, storage buildings,
146 shooting ranges, archery facilities, dams, laboratories, equipment, vehicles, vessels and site
147 clearance; provided, that funds may be used to: (i) incorporate energy efficiency and renewable
148 technologies; (ii) decrease energy use and greenhouse gas emissions; (iii) increase climate

149 resiliency; or (iv) enhance accessibility; and provided further, that funds may be used for
150 implementation of projects in furtherance of the statewide hazard mitigation and climate
151 adaptation plan.....\$15,000,000

152 2300-7030 For the rehabilitation, reconstruction, modernization and decarbonization
153 of the department of fish and game’s division of fisheries and wildlife Charles L. McLaughlin
154 Fish Hatchery in the town of Belchertown including, but not limited to, new construction, repair
155 and rehabilitation of buildings and grounds.....\$20,000,000

156 2300-7031 For ecological restoration capital programs and projects at the department
157 of fish and game’s division of ecological restoration; provided, that funds from this item may be
158 used for river, wetland and watershed restoration and protection including, but not limited to: (i)
159 dam and barrier removal; (ii) streamflow and water quality restoration; (iii) road-stream crossing
160 upgrades; (iv) improving public access, including enhancements to accessibility; (v) restored
161 rivers and wetlands; (vi) and other capital activities that restore biodiversity and support nature-
162 based approaches for adapting to climate change; provided further, that the commissioner of fish
163 and game or the commissioner’s designee may enter into cooperative agreements with state and
164 federal agencies, municipalities, non-governmental organizations, regional planning agencies,
165 tribal governments and others; provided further, that funds in this item may be used for the
166 purchase of equipment; provided further, that the commissioner of fish and game may award
167 grants to public and nonpublic entities and tribal governments to carry out this
168 item.....\$40,000,000

169 2300-7032 For the planning, engineering, design, construction, acquisition,
170 development and reconstruction of existing and new coastal and inland access sites identified by

171 the department of fish and game’s office of fishing and boating access including, but not limited
172 to, boat launching facilities, fishermen boat access facilities, car-top boat launching facilities,
173 canoe and kayak access facilities, sport fishing piers and shore fishing areas including, but not
174 limited to, ramps, docks, floats and appurtenant facilities throughout the commonwealth;
175 provided, that funds may be used on enhancements to accessibility, construction of signage and
176 informational kiosks and the implementation of coastal projects developed jointly with the
177 director of the Marine Recreational Fisheries Development Fund established in section 35NN of
178 chapter 10 of the General Laws in consultation with the marine recreational fisheries
179 development panel established in section 17C of chapter 130 of the General Laws....\$10,000,000

180 2300-7033 For marine fisheries resource conservation and restoration and capital
181 support of local commercial and recreational fisheries, which may include but shall not be
182 limited to fish and habitat restoration, hard bottom habitat enhancement, vessels, vehicles and
183 equipment; provided, that projects may be carried out in cooperation with public and nonpublic
184 entities, tribal governments and other management agencies; and provided further, that the
185 department may award grants to public and nonpublic entities and tribal governments to carry
186 out this item.....\$5,000,000

187 2300-7034 For the planning and implementation of capital projects and programs at
188 the department of fish and game and its divisions in furtherance of Executive Order no. 618
189 entitled “Biodiversity Conservation in Massachusetts”, which shall include but not be limited to
190 a local biodiversity capital grant program to support community-led biodiversity efforts;
191 provided, that the projects and programs may be carried out in cooperation with public and
192 nonpublic entities, tribal governments and other management agencies including, but not limited
193 to, other state agencies, municipalities, regional planning agencies and nonprofit organizations;

194 and provided further, that the department and its divisions may award grants to public and
195 nonpublic entities, tribal governments and other management agencies including, but not limited
196 to municipalities, regional planning agencies and nonprofit organizations, to carry out this
197 item.....\$20,000,000

198 SECTION 2C.

199 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

200 *Office of the Secretary*

201 2000-7067 For improvements and replacements to the infrastructure and holdings of
202 the executive office of energy and environmental affairs and its departments and divisions and
203 for capital assets and improvements to infrastructure and holdings that support the mission of the
204 executive office of energy and environmental affairs; provided, that this may include, but shall
205 not be limited to, buildings, equipment and vehicles; provided further, that investments may
206 support the development and implementation of capital projects that support the integrated state
207 hazard mitigation and climate adaptation plan; provided further, that the secretary of energy and
208 environmental affairs may grant priority to critical actions and strategies identified in the plan;
209 provided further, that the secretary of energy and environmental affairs may provide guidance for
210 the planning, prioritization, selection and implementation of projects in furtherance of the goals
211 of climate change mitigation and adaptation and consistent with the integrated state hazard
212 mitigation and climate adaptation plan; provided further, that funds may support development of
213 outdoor recreation sites and facilities and infrastructure; provided further, that funds may be
214 awarded to public and nonpublic entities including, but not limited to, tribal governments,
215 municipalities, regional planning agencies and nonprofit organizations, or expended directly by

216 the executive office of energy and environmental affairs and its departments and divisions;
217 provided further, that grant funds may be used for planning, engineering, design, acquisition,
218 permitting, construction, repair and renovation; and provided further, that grants shall be
219 awarded in a manner that promotes accessibility, supports geographic equity and supports
220 disadvantaged populations.....\$73,000,000

221 2000-7068 For a tree planting greening program for projects on publicly-owned land
222 or on private lands with the consent of the owner and subject to appropriate covenants that shall
223 assure the continued presence and effectiveness of the commonwealth’s investment including,
224 but not limited to, the evaluation and planning of tree greening projects, tree stock and planting
225 and capital maintenance of urban trees; provided, that the secretary shall give priority to the
226 planting of trees in cities and towns with a completed tree management plan; provided further,
227 that funds may be expended to assist cities and towns in the development of a tree management
228 plan; and provided further, that funds may be used to provide grants, technical assistance or other
229 support to public and nonpublic entities and tribal governments to fulfill the purposes of this
230 item.....\$10,000,000

231 2000-7078 For the MassTrails program and other capital improvements to the
232 commonwealth’s trails; provided, that funds may be used for the planning, engineering, design,
233 permitting, construction, repair, technical assistance and improvement of trails and the
234 acquisition of property interests for trail purposes; provided further, that not less than
235 \$10,000,000 shall be expended for the design and construction of accessible trails for people
236 with disabilities including, but not limited, to upgrades in accordance with guidelines from the
237 United States Forest Service and the United States Access Board’s accessibility standards for
238 federal outdoor developed areas; provided further, that funds may be granted at the discretion of

239 the secretary of energy and environmental affairs to public and nonpublic entities, including
240 municipalities, regional planning agencies and nonprofit organizations, or expended directly by
241 the executive office of energy and environmental affairs and its departments and divisions;
242 provided further, that trails are to be broadly defined to include water, recreational, multi-use,
243 motorized use by recreational and snow vehicles, trails designed to enhance accessibility and
244 may be paved, improved, natural surface or on-road for limited distances when necessary to
245 make key connections; provided further, that any project funded from this item shall be open to
246 the public; provided further, that wherever practicable, property interests acquired shall be
247 permanently conserved such that the trail thereon is permanently accessible to the public but may
248 be subject to long-term leases where necessary to advance trail projects; and provided further,
249 that a match from the funding recipient, which may include in-kind match, may be required at
250 the discretion of the secretary of energy and environmental affairs.....\$75,000,000

251 2000-7082 For grant programs related to and investments in: (i) land, soil, water and
252 natural resource conservation, open space preservation and other capital expenditures that
253 conserve land and natural resources that provide ecosystem services, including clean air and
254 water, watershed remediation, water conservation and other capital investments related to water
255 resource protection and flood prevention; (ii) coastal resource protection including, but not
256 limited to, securing access to protected coastal lands and lands to provide for the inland
257 migration of coastal habitats; (iii) recreation, including the acquisition, development,
258 construction, rehabilitation and improvement of parks and all related facilities in neighborhoods
259 underserved with parks, including assessment and remediation of brownfield sites intended for
260 park use; (iv) environmental equity and wildlife and endangered species protection including, but
261 not limited to, the: (a) local acquisition for natural diversity grant program; (b) parkland

262 acquisition and renovation for communities grant program; (c) tribal land acquisition grant
263 program; (d) healthy soils grant program; (e) woodlands partnership grant program; and (f)
264 conservation partnership grant programs including, but not limited to, programs to support
265 landscape-scale land conservation projects, the drinking water supply protection grant program,
266 grant programs to assist and provide funding to conservation districts and grants to support
267 projects and initiatives that promote carbon sequestration and climate change resiliency through
268 sustainable forestry and salt marsh restoration; (v) capital grants and technical assistance to
269 facilitate the conservation of land by municipalities, tribal governments, land trusts and other
270 conservation organizations; (vi) MassTrails grants and other capital investments to advance trails
271 of all kinds; and (vii) grants and other expenditures to support local, regional and state land use
272 planning and management capabilities to advance smart growth efforts, which shall be pursuant
273 to rules and regulations adopted by the secretary of energy and environmental affairs to
274 effectuate this item; provided, that funds may be used to provide grants to public and nonpublic
275 entities and tribal governments to carry out this item; provided further, that the secretary of
276 energy and environmental affairs may provide guidance and expend funds for planning,
277 prioritization, selection and implementation of projects in furtherance of the goals of climate
278 change mitigation and adaptation consistent with the integrated state hazard mitigation and
279 climate adaptation plan, and in support of disadvantaged populations; and provided further, that
280 all projects shall provide appropriate public access as determined by the
281 secretary.....\$120,000,000

282 2000-7083 For the design, construction, acquisition, reconstruction, rehabilitation,
283 retrofitting, repair or removal of coastal infrastructure and resilience measures including, but not
284 limited to, seawalls, jetties, revetments, retaining walls, port infrastructure, beach nourishment,

285 living shorelines, coastal lands and other nature-based solutions, which shall mean strategies that
286 conserve, restore and employ the natural resources of the commonwealth to enhance climate
287 adaptation, build resilience and support mitigation; provided, that costs payable from this item
288 may include, but shall not be limited to, the costs of engineering and other technical assistance
289 and planning services essential to these projects rendered by the office of coastal zone
290 management in the executive office of energy and environmental affairs, the office of waterways
291 in the department of conservation and recreation and other commonwealth employees or
292 consultants; provided further, that grants and loans may be made to local government units to
293 carry out this item; provided further, that grants may also be awarded to nonpublic entities for
294 approved projects funded herein; provided further, that funds may be used on lands held by
295 municipal, county, state or federal agencies or other governmental bodies on lands held by
296 nonprofit conservation organizations or on private lands with the consent of the owner and
297 subject to covenants that assure the continued presence and effectiveness of such projects for the
298 expected life of the projects; provided further, that the use of such funds by county and
299 municipal governmental bodies on lands held by nonprofit conservation organizations or on
300 private lands, shall require, in a county, a vote of the county commissioners, in a city having a
301 Plan D or Plan E charter, by a majority vote of all the members of the city council, in a city not
302 having such a charter, by a majority vote of the city council, subject to the charter of that city,
303 and in a town, by a majority vote of the selectboard; provided further, that the secretary of
304 energy and environmental affairs may provide guidance for planning, prioritization, selection
305 and implementation of projects in furtherance of the goals of climate change mitigation and
306 adaptation and consistent with the integrated state hazard mitigation and climate change
307 adaptation plan.....\$250,000,000

308 2000-7086 For the design, construction, reconstruction, rehabilitation, retrofitting,
309 repair or removal of municipally owned dams, publicly owned dams and other dams for which
310 emergency action or hazard mitigation is required and for inland flood control projects and
311 projects for related facilities and equipment including, but not limited to, seawalls, jetties,
312 revetments, retaining walls, beach nourishment and other nature-based solutions on publicly
313 owned land or related to state or municipal climate change adaptation and preparedness or for
314 which emergency action or hazard mitigation is required; provided, that the secretary of energy
315 and environmental affairs shall give priority to dams and flood control projects that pose the
316 greatest risk to public health, public safety or the environment; provided further, that funds shall
317 be made available for a program of planning, permitting and construction of fish ways and other
318 aquatic habitat improvements. including the removal or breaching of selected dams and
319 impoundments on state-owned land and waterways; provided further, that funds may be used for
320 dam safety technical assistance; provided further, that funds may be used to provide grants to
321 public and nonpublic entities to carry out this item; and provided further, that the secretary may
322 provide guidance for planning, prioritization, selection and implementation of projects in
323 furtherance of the goals of climate change mitigation and adaptation and consistent with the
324 integrated state hazard mitigation and climate change adaptation plan.....\$93,500,000

325 2000-7087 For the acquisition of land and interests in land by the executive office of
326 energy and environmental affairs and for associated costs including, but not limited to, planning,
327 study, due diligence, title and appraisal services, site restoration, monitoring and stewardship
328 including, but not limited to, acquisitions for open space, recreation, conservation, wildlife and
329 endangered species protection and forest land protection and for related costs and activities in
330 support of conservation goals; provided, that not more than \$25,000,000 may be used to

331 capitalize the Transfer of Development Rights Revolving Fund established in section 35HHH of
332 chapter 10 of the General Laws; provided further, that funds from this item may be used to
333 develop and implement a capital stewardship program on lands under the care and control of the
334 executive office or its departments and divisions or subject to conservation restrictions or other
335 related interests in land purchased through this item; provided further, that funds may be used for
336 restoration, repair and reclamation of acquired land, including demolition of structures, removal
337 of debris, eradication of nonnative species and other services essential to such reclamation
338 efforts; and provided further, that the secretary of energy and environmental affairs may provide
339 guidance and expend funds for preservation and acquisition of land and interests in land in
340 furtherance of the goals of climate change mitigation and adaptation, consistent with the
341 integrated state hazard mitigation and climate adaptation plan, and in support of disadvantaged
342 populations.....\$85,000,000

343 2000-7088 For the municipal vulnerability preparedness grant program to support and
344 provide technical assistance for the political subdivisions of the commonwealth including, but
345 not limited to, cities, towns, counties and districts, tribal governments, regional planning
346 agencies, nonprofit organizations, or any authority, commission, board or instrumentality
347 thereof, to complete climate-related vulnerability assessments, develop equitable, action-oriented
348 resiliency plans and complete integrated climate change adaptation plans and local hazard
349 mitigation plans and to implement local and regional adaptation solutions identified through such
350 plans; provided, that such funds may be used on lands held by municipal, state or federal
351 agencies, tribal governments or other governmental bodies, nonprofit organizations or on private
352 lands with the consent of the owner and subject to covenants that shall assure the continued
353 presence and effectiveness of such projects for the expected life of the projects; provided further,

354 that the use of such funds by municipal governmental bodies on lands held by nonprofit
355 organizations or on private lands shall require the vote of a majority of the grantee’s legislative
356 body or board of directors or the equivalent thereof; provided further, that funds may be used to
357 develop wastewater facility adaptation plans; provided further, that such funds may be used for
358 the political subdivisions of the commonwealth including, but not limited to, cities, towns,
359 counties and districts, tribal governments, regional planning agencies, nonprofit organization, or
360 any authority, commission, board or instrumentality thereof, to appoint and retain coordinators to
361 advance sustainability, resiliency and climate adaptation; and provided further, that the program
362 may prioritize low income and environmental justice communities.....\$315,000,000

363 2000-7089 For local environmental, recreational, resiliency and preservation projects
364\$100,000

365 2030-1011 For the replacement and purchase of environmental law enforcement
366 vehicles and maritime law enforcement patrol vessels and accompanying equipment; provided,
367 that funds may be expended for equipment purchased in conjunction with the operation of the
368 environmental law enforcement vehicle and vessel fleet including, but not limited to, mobile data
369 terminals, installation of mounts and multi-band radios, search and rescue equipment, boat
370 trailers, engines, lower units, remotely-operated vehicles, portable side scan sonar, navigation
371 systems and communication radios.....\$9,000,000

372 SECTION 2D.

373 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

374 *Massachusetts Department of Agricultural Resources*

375 2500-7022 For capital programs designed to address agricultural economic and
376 environmental sustainability and resiliency including, but not limited to, the development and
377 implementation of farm viability plans and other technical and engineering assistance, urban
378 agriculture and hydroponics, and to facilitate improvements to agricultural infrastructure, energy
379 conservation and efficiency and climate change adaptation and resiliency; provided, that funds
380 may be expended for infrastructure and equipment upgrades to prevent or reduce food safety
381 risk, combat invasive and disease-borne insects and for capital programs to support aquaculture,
382 anaerobic digesters and agricultural composters; provided further, that funds may be expended
383 for capital projects that foster the adoption of sustainable farming practices that enhance
384 resilience, reduce greenhouse gas emissions and promote environmental stewardship; provided
385 further, that funds may be expended on programs that support the commonwealth’s farmland
386 protection and access goals; provided further, that funds may be expended to provide grants,
387 technical assistance and other support to farms, public and nonpublic entities and tribal
388 governments to support the agricultural economy and to enable recovery from natural disasters,
389 market disruptions and other financial challenges; and provided further, that funds may be
390 allocated by the commissioner of agricultural resources through competitive grants pursuant to
391 rules and regulations promulgated by the commissioner to implement this item.....\$26,000,000

392 2511-0124 For food security grant programs to support equitable access to nutritious,
393 local food and to strengthen food supply and distribution systems; provided, that programs may
394 consider the unique needs of rural and urban areas and gateway municipalities as defined in
395 section 3A of chapter 23A of the General Laws to provide greater access to local food; provided
396 further, that programs may provide grants that support food banks and other parts of the food
397 distribution system by expanding services; and provided further, that funds may be used to

398 provide grants to public and nonpublic entities and tribal governments to carry out this item that
399 may include, but shall not be limited to, farms, retailers, fisheries, food system businesses, food
400 distributors, food processors, food banks, farm stands, food hubs, food retailers, elder services
401 and community-supported agriculture farms.....\$150,000,000

402 2511-0125 For a program to acquire land or interests in land for the purpose of
403 preserving agricultural land, including agricultural preservation restrictions under sections 23 to
404 26, inclusive, of chapter 20 of the General Laws; provided, that funds may be expended for
405 associated acquisition and implementation costs including, but not limited to, grants, planning,
406 due diligence, title examinations, appraisal services, site restoration and capital improvements on
407 nonpublic lands subject to those agricultural preservation restrictions and on state-owned lands
408 leased for agricultural purposes.....\$42,000,000

409 SECTION 2E.

410 OFFICE OF THE TREASURER AND RECEIVER GENERAL

411 0640-1008 For the Massachusetts Clean Water Trust established in section 2 of
412 chapter 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund
413 established in section 2L of chapter 29 of the General Laws for application by the trust to the
414 purposes specified in section 5 of said chapter 29C, any portion of which may be used as a
415 matching grant by the commonwealth to federal capitalization grants received under Title VI of
416 the Clean Water Act or for deposit in the Drinking Water Revolving Fund established in section
417 2QQ of said chapter 29 for application by the trust to the purposes specified in section 18 of said
418 chapter 29C, any portion of which may be used as a matching grant by the commonwealth to
419 federal capitalization grants received under the Safe Drinking Water Act; provided, that funds

420 may be used to assist homeowners in complying with 310 C.M.R. 15.00 for subsurface disposal
421 of sanitary waste; and provided further, that funds may be used to assist with per-and
422 polyfluoroalkyl substances (PFAS) contamination remediation.....\$385,000,000

423 SECTION 2F.

424 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

425 *Office of the Secretary*

426 1100-2524 For grants to cities, towns, tribal governments, regional organizations
427 whose membership is exclusively composed of municipal governments, municipal
428 redevelopment authorities or agencies and other state agencies or quasi-governmental agencies to
429 support capital investments that support climate mitigation, adaption, resiliency and recovery
430 efforts in the commonwealth; provided, that purposes may include, but shall not be limited to,
431 planning and studies, preparation of plans and specifications, site assembly and preparation,
432 dispositions, acquisitions, repairs, renovations, improvements, construction, demolition,
433 remediation, modernization and reconstruction of facilities, infrastructure, equipment and other
434 capital assets.....\$50,000,000

435 SECTION 2G.

436 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

437 *Office of the Secretary*

438 7004-0093 For the Massachusetts healthy homes program fund established in section
439 34 of chapter 23B of the General Laws.....\$50,000,000

440 7004-4785 For the Massachusetts Housing Finance Agency established in section 3 of
441 chapter 708 of the acts of 1966 to capitalize a permanent, revolving Residential Production
442 Momentum Fund for the purpose of accelerating the development of mixed-income and
443 workforce multifamily housing production projects by providing financial assistance in the form
444 of innovative, low-cost and flexible capital funding, which may be in the form of debt, equity or
445 other instruments, depending on individual underwriting needs of the project; provided, that not
446 less than 20 per cent of the units in a project that receives financial assistance under this item
447 shall be restricted to households with incomes between 60 per cent and 120 per cent, inclusive,
448 of the area median income; provided further, that notwithstanding paragraph (f) of section 5 of
449 said chapter 708, the agency may in its discretion set the terms and prepayment options for any
450 mortgage or other loan or instrument issued to any project receiving such financial assistance
451 based on the individual underwriting needs of the project; provided further, that such financial
452 assistance shall be awarded in a manner that promotes geographic equity; provided further, that
453 funds expended from this item shall, to the maximum extent feasible, be prioritized for projects
454 that comply with decarbonization and sustainability standards; provided further, that
455 prioritization shall be determined through objective scoring criteria in the qualified allocation
456 plan developed by the executive office of housing and livable communities; provided further,
457 that for new construction projects, the standards set forth in the commonwealth's opt-in
458 specialized energy code under 225 C.M.R. 22.00 and 23.00 and the Enterprise Green
459 Communities standards shall be the applicable standards for prioritization; provided further, that
460 any project proposing less than full compliance with those standards shall provide detailed
461 analysis demonstrating why full compliance would render the project infeasible notwithstanding
462 utilization of all available federal and state incentives, including rebates and tax credits; provided

463 further, that for retrofits of existing units, prioritization shall be given to projects that include
464 energy efficiency and electrification decarbonization measures including, but not limited to,
465 electric or ground source heat pumps, net-zero developments, Passive House Institute
466 certification or an equivalent energy efficiency certification and all-electric buildings and
467 projects that incorporate green, sustainable and climate-resilient elements; and provided further,
468 that projects that include lower embodied carbon construction materials and methods shall be
469 further prioritized.....\$50,000,000

470 SECTION 3. The second paragraph of section 48 of chapter 10 of the General Laws, as
471 appearing in the 2024 Official Edition, is hereby amended by adding the following sentence:-
472 The fund shall be for the purpose of supporting, through grant programs, dairy farms with a
473 certificate of registration under section 16C of chapter 94; provided, that to the extent
474 practicable, grants shall be awarded to dairy farms that previously paid into the fund in
475 proportion to their total contributions.

476 SECTION 4. Said section 48 of said chapter 10 is hereby repealed.

477 SECTION 5. Section 6C of chapter 20 of the General Laws, as appearing in the 2024
478 Official Edition, is hereby amended by striking out, in line 3, the figure “18” and inserting in
479 place thereof the following figure:- 20.

480 SECTION 6. Said section 6C of said chapter 20, as so appearing, is hereby further
481 amended by inserting after the word “affairs”, in line 19, the following words:- ; 1 of whom shall
482 be the director of the division of marine fisheries established in section 1A of chapter 130, or the
483 director’s designee; 1 of whom shall be the director of the Center for Agriculture, Food and the
484 Environment at the University of Massachusetts at Amherst, or the director’s designee.

485 SECTION 7. Chapter 21 of the General Laws is hereby amended by inserting after
486 section 2G the following section:-

487 Section 2H. (a) The commissioner of conservation and recreation shall consider land
488 under the care and control of the department for potential designation and long-term passive
489 management as a forest reserve and shall recommend designation of land as a forest reserve;
490 provided, that such designation shall: (i) contribute to carbon sequestration and storage as part of
491 the commonwealth's climate mitigation strategy; (ii) allow for unique older forest habitats to
492 mature and develop over time without intended intervention in ecological processes as part of a
493 holistic, statewide biodiversity conservation strategy; (iii) enhance climate resilience through the
494 maintenance of connected natural landscape blocks and species movement corridors that provide
495 a variety of important ecosystem processes, functions and services; (iv) allow unique
496 opportunities for compatible passive outdoor recreation and other public enjoyment to serve a
497 diverse public with wide-ranging recreational values; and (v) facilitate ecological research,
498 comparative studies of forest dynamics and long-term monitoring to evaluate reserves as
499 compared to other land management approaches.

500 (b) The commissioner of conservation and recreation, with the approval of a simple
501 majority of the members of the stewardship council present at a duly called meeting of the
502 council, may designate land under the care and control of the department as a forest reserve.
503 Forest reserves shall be managed consistent with such designation, unless the commissioner,
504 with the approval of not less than a two-thirds majority of the members of the stewardship
505 council present at a duly called meeting of the council, and with the approval of the secretary of
506 energy and environmental affairs, rescinds the designation.

507 (c) Designation of land as a forest reserve, or the rescission thereof, shall constitute an
508 administrative designation and shall not: (i) change the entity with respect to the care, custody
509 and control of the land; (ii) constitute a change in the use of the land; (iii) otherwise dispose of
510 the land or an interest in the land; or (iv) otherwise change the existing status of the land as a
511 state forest, state park or other land management unit.

512 (d) The department, to the greatest degree possible, shall passively manage the forest
513 reserves to allow natural processes to determine changes in the structure and composition of the
514 forest ecosystem. Forest reserves shall not be: (i) managed for production of timber or forest
515 products; or (ii) intentionally manipulated. Any active management shall be avoided, to the
516 extent feasible, even when disturbances occur. After consultation with a forest reserve science
517 and technical advisory committee, to be administered by the secretary of energy and
518 environmental affairs, the department may undertake active management or assisted restoration
519 actions to: (A) sustain ecosystem function, vital ecosystem services and habitat values; (B)
520 control problematic pests, pathogens and invasive species; (C) restore water and wetland
521 resources; (D) protect public safety; or (E) address other unforeseen circumstances. The
522 department may undertake such other management actions as may be required by law.

523 (e) The following shall be permitted within the forest reserves: (i) compatible passive
524 outdoor recreation; (ii) regulated hunting and trapping; (iii) conversion or removal of plantations;
525 (iv) maintenance or repair of existing forest roads, trails and administrative access points; (v)
526 preservation of historic and cultural resources; (vi) removal of immediate threats to public safety;
527 (vii) selective understory invasive plant control; and (viii) monitoring and research activities.

528 SECTION 8. Said chapter 21 is hereby further amended by inserting after section 3G the
529 following section:-

530 Section 3H. (a)(1) The commissioner of conservation and recreation may promulgate
531 rules and regulations: (i) for the government and use of all property under the control of the
532 department, including all roads and highways wholly or in part within the boundaries of such
533 property; (ii) relative to hunting and fishing, except in great ponds, not inconsistent with the laws
534 protecting fish, birds, mammals and quadrupeds on all property under the control of the
535 department; (iii) for the government and public use of the Charles river, Mystic river and
536 Neponset river; provided, that no such rule or regulation shall affect the water rights of any
537 person, whether a mill owner or otherwise; and (iv) for the care, maintenance, protection and
538 policing of the basin as defined in section 2 of chapter 524 of the acts of 1909 and amendments
539 thereto; provided, that no such rule or regulation shall impair freight traffic. Such rules and
540 regulations may provide for the payment of fees and other charges for the parking of vehicles
541 and for the enjoyment of other special privileges within the territory under such control.

542 (2) No such rule or regulation shall prohibit the use of passenger or station wagon type
543 motor vehicles with a gross weight of not more than 5,000 pounds and that are registered for
544 commercial use, on ways, parkways or boulevards where non-commercial passenger-type motor
545 vehicles are permitted to operate.

546 (3) The commissioner of conservation and recreation may enter into and issue
547 agreements, licenses and permits for recreational and other uses and may grant concessions for
548 the sale of refreshments and other articles and the furnishing of services on department property
549 which the commissioner deems compatible and consistent with this section and Article XCVII of

550 the Amendments to the Constitution of the Commonwealth; provided, however, that such
551 agreements, licenses and permits shall be for periods not exceeding 10 years, and shall be in
552 writing.

553 (b) A violation of a rule or regulation promulgated pursuant to subsection (a) shall be
554 punished by a fine of not more than \$500, and each day such violation continues, including, but
555 not limited to, unauthorized or unpermitted use and occupation of department property shall be a
556 separate violation.

557 (c)(1) The commissioner of conservation and recreation may authorize, in writing, non-
558 criminal enforcement by department staff of department rules and regulations related to parking
559 pursuant to this section.

560 (2) A police officer, employed by a city or town in whose boundaries department
561 property is located, shall, for such department property, have all the same powers as a police
562 officer of the city or town to enforce the laws of the commonwealth and the rules and regulations
563 of the department for said property.

564 (d) Notwithstanding any other general or special law to the contrary, all fines and
565 penalties recovered for violation of rules and regulations made pursuant to this section shall be
566 accounted for by the clerk of the court of jurisdiction and forwarded to the department to be
567 deposited as revenue.

568 (e) The department may assess a civil administrative penalty, of not more than \$1,000 per
569 day, for the continuing violation of any rule, regulation or order, including, but not limited to, for
570 the use, occupation or alteration of department property without written authorization as required
571 by the department, or for noncompliance with such written authorization. Each day a violation

572 continues shall constitute a separate violation. The remedies provided in this paragraph shall be
573 available in addition to any other penalties or remedies provided by law. The department may
574 adopt and promulgate regulations to effectuate the purposes of this subsection. The penalty
575 pursuant to this subsection shall be assessed in addition to any other civil penalty otherwise
576 provided for by law. Notice of assessment of a penalty pursuant to this subsection shall be made
577 by service in hand, or by certified mail, return receipt requested, and shall state the amount of the
578 administrative penalty, the date the penalty shall be due, a statement of the violator's right to an
579 adjudicatory hearing pursuant to chapter 30A regarding the assessment, a statement of the
580 actions the person may take in order to avoid assessment of additional penalties or to avoid
581 waiving the right to a hearing relative to the penalty and the manner of acceptable payment if an
582 election to waive a hearing is made. A person or political subdivision of the commonwealth shall
583 be deemed to have waived all right to an adjudicatory hearing unless, within 21 days of the date
584 of the department's notice, a written notice is received by the department, by hand or by certified
585 mail, return receipt requested, requesting such adjudicatory hearing. In the event that such
586 request is not received in accordance with this section, the proposed administrative penalty shall
587 become final, and payment shall be due in accordance with the notice.

588 SECTION 9. Subsection (b) of section 67 of said chapter 21, as appearing in the 2024
589 Official Edition, is hereby amended by striking out the third sentence and inserting in place
590 thereof the following sentence:- The regulations shall be in accordance with generally accepted
591 standards of irrigation practice.

592 SECTION 10. Subsection (c) of said section 67 of said chapter 21, as so appearing, is
593 hereby amended by adding the following words:- or golf courses.

594 SECTION 11. Chapter 21A of the General Laws is hereby amended by inserting after
595 section 18A the following section:-

596 Section 18B. (a) As used in this section, the following words shall, unless the context
597 clearly requires otherwise, have the following meanings:

598 “Black carbon”, fine particles less than or equal to 2.5 micrometers in diameter
599 commonly known as soot.

600 “Department”, the department of environmental protection.

601 “Eligible buildings”, shall include, but shall not be limited to, existing: (i) residential
602 public housing; (ii) residential private multifamily housing with more than 2 tenant-occupied
603 units; (iii) public schools serving students of any age in grades K-12; (iv) private schools serving
604 students of any age in grades K-12; (v) charter schools serving students of any age in grades K-
605 12; (vi) college and university buildings with 1 or more classrooms; (vii) existing commercial
606 buildings with businesses that have 5 or more full-time employees; and (viii) correctional
607 facilities, including prisons and jails.

608 “Environmental justice population”, as defined in section 62 of chapter 30.

609 “Fine particulate matter” and “fine particulates”, particulate matter less than or equal to
610 2.5 micrometers in diameter.

611 “Particulate matter” and “particulates”, a broad class of chemically and physically diverse
612 substances that exist as discrete particles in air, including coarse, fine and ultrafine particles.

613 “Ultrafine particulate matter” and “ultrafine particulates”, particulate matter less than or
614 equal to 0.1 micrometers in diameter.

615 (b) The department, in consultation with the department of public health, shall convene
616 an air quality advisory committee for the purpose of identifying communities with high
617 cumulative exposure burdens to toxic outdoor air contaminants and criteria pollutants. The
618 advisory committee shall review practices to improve air quality in other states and emerging
619 research to improve air quality in the commonwealth.

620 (c)(1) The air quality advisory committee shall consist of 9 members: (i) 5 members shall
621 be appointed by the governor, 1 of whom with a background in public health or environmental
622 policy, who shall serve as chair, and 4 of whom shall be representatives of community-based or
623 environmental justice organizations; (ii) 2 members shall be appointed by the secretary of energy
624 and environmental affairs with a background in public health or environmental justice; and (iii) 2
625 members shall be appointed by the attorney general, 1 of whom shall have a background in
626 environmental law or regulatory compliance and 1 of whom shall have a background in
627 community-based or environmental justice organizations.

628 (2) In making appointments, the governor, attorney general and secretary of energy and
629 environmental affairs shall select individuals who are from, or have experience advocating for,
630 communities that have been disproportionately harmed by air pollution and environmental
631 injustice. The air quality advisory committee shall be comprised of: (i) residents of
632 environmental justice populations living adjacent to major highways; (ii) academics with
633 expertise in outdoor air monitoring, environmental health, air toxics and air pollution; and (iii)
634 labor representatives.

635 (3) Any vacancy on the air quality advisory committee shall be filled by the appropriate
636 appointing authority not later than 60 days after the vacancy. The governor, attorney general or

637 secretary of energy and environmental affairs may remove an advisory board member who they
638 appointed for cause. Before removal, the advisory committee member shall be provided with a
639 written statement of the reason for removal and an opportunity to be heard.

640 (d) Every 3 years, on or before June 30, the air quality advisory committee shall file a
641 report with the clerks of the house of representatives and the senate, joint committee on
642 environment and natural resources and the joint committee on public health identifying the likely
643 air pollution hotspots due to high concentrations of traffic- and industry-related air pollution
644 throughout the commonwealth. The advisory committee may make recommendations on areas
645 that would benefit from being equipped with new or expanded air monitors and establish and
646 review the definitions of “air quality” and “air quality target pollutants” that shall include, but
647 shall not be limited to, consideration of criteria pollutants, black carbon and ultrafine particulate
648 matter. The report shall include, but shall not be limited to: (i) recommendations regarding the
649 installation of air filtration in eligible buildings located within 200 meters of a class 1, class 2 or
650 class 3 roadway, marine terminal, airport or a train station or train yard serving diesel
651 locomotives; (ii) potential incentives for eligible buildings that are schools, private housing and
652 public housing to cover the cost of installing air filtration equipment; and (iii) progress made in
653 other states that may help the commonwealth improve air quality.

654 SECTION 12. Chapter 29 of the General Laws is hereby amended by inserting after
655 section 2NNNNNN, inserted by section 19 of chapter 73 of the acts of 2025, the following
656 section:-

657 Section 2000000. (a) For the purposes of this section, “Historic Connecticut River
658 Water Trail” shall, unless the context clearly requires otherwise, mean the portion of the

659 Connecticut river beginning at the Holyoke dam located at river mile 83.4 and ending at the
660 northern border of the municipality of Hatfield located at river mile 104.3.

661 (b) There shall be established and set up on the books of the commonwealth a separate,
662 non-budgeted special revenue fund known as the Historic Connecticut River Water Trail
663 Marking Fund, which shall be administered by the executive office of energy and environmental
664 affairs to support the maintenance of the Historic Connecticut River Water Trail.

665 (c) The fund shall be credited with: (i) money transferred to the fund by a municipality;
666 (ii) money transferred to the fund by the municipal gas and electric commission of the city of
667 Holyoke; (iii) money transferred to the fund by the general court and specifically designated to
668 be credited to the fund; (iv) funds from public and private sources, including, but not limited to,
669 gifts, grants and donations; and (v) interest earned on money in the fund.

670 (d) Amounts credited to the fund shall be expended, without further appropriation, by the
671 secretary of energy and environmental affairs, in consultation with the director of the office of
672 law enforcement, the director of the office of outdoor recreation and the chief executive officers
673 of the municipalities of Easthampton, Hadley, Hatfield, Holyoke, Northampton and South
674 Hadley, to ensure the placement of river markers to ensure safe navigable passage and recreation
675 on the Historic Connecticut River Water Trail.

676 (e) The unexpended balance in the fund at the end of a fiscal year shall remain available
677 for expenditure in subsequent fiscal years. For the purpose of accommodating timing
678 discrepancies between the receipt of revenues and related expenditures, the executive office of
679 energy and environmental affairs may incur expenses, and the comptroller shall certify for
680 payment, amounts not to exceed the most recent revenue estimate as certified by the office of

681 law enforcement established in section 10A of chapter 21A, as reported in the state accounting
682 system.

683 SECTION 13. The General Laws are hereby amended by inserting after chapter 29D the
684 following 2 chapters:-

685 Chapter 29E

686 Resilience Revolving Fund

687 Section 1. As used in this chapter, the following words shall, unless the context clearly
688 requires otherwise, have the following meanings:

689 “Board”, as defined in section 1 of chapter 29C.

690 “Trust”, as defined in section 1 of chapter 29C.

691 “Trust agreement”, as defined in section 1 of chapter 29C.

692 Section 2. (a) There shall be established and set up on the books of the commonwealth a
693 separate, non-budgeted special revenue fund known as the Resilience Revolving Fund. The fund
694 shall be administered by the board. The fund shall be credited with amounts credited or
695 transferred to the fund by the general court or any other source, including, but not limited to: (i)
696 fees or tax revenue specified to be credited to the fund; (ii) federal grants; (iii) loan repayments;
697 (iv) investment earnings on money in the fund; and (v) any other amounts required to be credited
698 to the trust by operation of law, resolution or agreement entered into by the board. The state
699 treasurer shall be the treasurer-custodian of the fund and, subject to any applicable trust
700 agreement, the state treasurer may invest monies held in the fund in such investments as may be
701 legal investments for funds of the commonwealth.

702 (b) Amounts credited to the fund may be used, without further appropriation, to provide:
703 (i) loans to municipalities, tribal governments and public water and wastewater districts for
704 climate resilient infrastructure projects recommended by the advisory committee established in
705 section 3; and (ii) technical support for eligible applicants needing assistance for projects to be
706 ready to apply for said loans and program management, to be provided by the executive office of
707 energy and environmental affairs; provided, that the amount expended pursuant to clause (ii)
708 shall not exceed the amount approved annually by the board based on a recommendation by the
709 advisory committee. The unexpended balance in the fund at the end of a fiscal year shall remain
710 available for expenditure in subsequent fiscal years. No expenditure made from the fund shall
711 cause the fund to be in deficit at any point.

712 Section 3. (a) There shall be an advisory committee to the board consisting of: the state
713 treasurer, ex officio; the secretary of administration and finance, ex officio; the secretary of
714 energy and environmental affairs, ex officio; 1 member appointed by the trust; and 1 member
715 appointed by the secretary of energy and environmental affairs. Each member of the advisory
716 committee may appoint a designee pursuant to section 6A of chapter 30. The advisory committee
717 shall elect a chair by majority vote.

718 (b) The advisory committee shall recommend eligible climate resilient infrastructure
719 projects and expenditures for technical support and program management to the board for
720 approval for loans pursuant to sections 6 and 7.

721 (c) The executive office of energy and environmental affairs shall promulgate regulations
722 establishing the criteria for a climate resilience project and any key project requirements,
723 including, but not limited to: (i) the scope of the project; (ii) any ongoing requirements and

724 covenants; and (iii) compliance with subsection (b) of section 283 of chapter 238 of the acts of
725 2024 regarding the use of project labor agreements.

726 (d) The advisory committee shall only consider projects for which it has received a
727 certificate issued by the executive office of energy and environmental affairs that approves the
728 project in accordance with regulations and identifies the specific project requirements, including,
729 but not limited to, the scope, timeline and costs of the project.

730 Section 4. (a) The board may provide, by resolution, for the issuance from time to time of
731 bonds for any purpose of the fund. The bonds shall be issued as special obligations payable
732 solely from the revenues, funds and other assets or property held or to be received by the trust
733 with respect to the fund.

734 (b)(1) The bonds of each issue may: (i) be dated; (ii) bear interest at such rate or rates,
735 including rates variable from time to time; and (iii) mature or otherwise be payable or
736 redeemable at such times as the board may determine.

737 (2) The board shall determine the denominations of bonds, the details of their execution
738 and authentication and their places of payment within or without the commonwealth. In case any
739 trustee or officer whose signature appears on any bonds shall cease to be such officer before their
740 delivery, the signature shall nevertheless be valid and sufficient as if the officer had remained in
741 office until delivery.

742 (3) Bonds may be issued in certificated or uncertificated form, payable to bearer or
743 registered owners, and, if notes, may be made payable to bearer or to order.

744 (4) The board may sell the bonds of the trust at public or private sale at par or for such
745 premium or discount price as it may determine.

746 (5) The board may, by resolution, delegate to any trustee or officer of the trust the power
747 to determine any of the matters set forth in this section.

748 (c) Bonds of the trust may be secured by a trust agreement between the trust and the bond
749 owners or a corporate trustee which may be any trust company or bank having the powers of a
750 trust company within or without the commonwealth. A trust agreement may pledge or assign, in
751 whole or in part, any loan agreements and local governmental obligations, and the revenues,
752 funds and other assets or property held or to be received by the trust with respect to the fund,
753 including, but not limited to, all monies and investments on deposit from time to time in the fund
754 or any account of such trust agreement and any contract or other rights to receive the same,
755 whether then existing or thereafter coming into existence and whether then held or thereafter
756 acquired by the trust, and the proceeds thereof. A trust agreement may contain, without
757 limitation, provisions for protecting and enforcing the rights, security and remedies of the
758 bondholders, provisions defining defaults and establishing remedies, which may include
759 acceleration and may also contain restrictions on the remedies by individual bondholders. A trust
760 agreement may also contain covenants of the trust concerning the custody, investment and
761 application of monies, the enforcement of loan agreements and local governmental obligations,
762 the issue of additional or refunding bonds, the use of any surplus bond proceeds, the
763 establishment of reserves and the regulation of other matters customarily treated in trust
764 agreements. At the request of the board, the state treasurer shall join in any trust agreement or to
765 otherwise agree with the trust, any lender or any trustee for bondholders to hold the fund in

766 compliance with any covenants and provisions relating to the fund contained in any trust
767 agreement.

768 (d) Bonds may be issued by the trust in the form of lines of credit or other banking
769 arrangements under terms and conditions determined by the board. In addition to other lawful
770 security, bonds may be secured, in whole or in part, by financial guarantees, by insurance, by
771 letters or lines of credit or by other credit enhancement issued to the trust or to a trustee or other
772 person, by any bank, trust company, insurance or surety company or other financial institution,
773 within or without the commonwealth. The trust may pledge or assign, in whole or in part, any
774 loan agreements and local governmental obligations and the revenues, funds and other assets and
775 property held or to be received by the trust with respect to the fund, and any contract or other
776 rights to receive the same, whether then existing or thereafter coming into existence and whether
777 then held or thereafter acquired by the trust, and the proceeds thereof, as security for such
778 guarantees or insurance or for the reimbursement to any issuer of a line or letter of credit.

779 (e) The board may, by resolution, provide for the issue by the trust of interim receipts or
780 temporary bonds, exchangeable for definitive bonds when the bonds are executed and are
781 available for delivery. The board may provide for replacement of mutilated, destroyed or lost
782 bonds. The trust may purchase and invite offers to tender for purchase any outstanding bonds;
783 provided, however, that no purchase by the trust shall be made at a price, exclusive of accrued
784 interest, if any, exceeding the bond's principal amount or, if greater, its redemption price when
785 next redeemable at the option of the trust. The trust may resell any bonds it purchases in such
786 manner and for such price as it may determine.

787 (f) The board may issue refunding bonds of the trust for the purpose of paying any bonds
788 at or prior to maturity. Refunding bonds may be issued at any time at or prior to the maturity or
789 redemption or purchase of the refunded bonds. Refunding bonds may be issued in sufficient
790 amounts to pay or provide for payment of the principal of the bonds being refunded, together
791 with any redemption premium thereon, any interest or discount accrued or to accrue to the date
792 of payment, costs of issuance and other expenses and reserves reasonably necessary to achieve
793 the refunding.

794 (g) Bonds of the trust shall be: (i) securities in which public officers and agencies,
795 insurance companies, financial institutions, investment companies, executors, administrators,
796 trustees and others may properly invest funds including capital within their control; and (ii)
797 securities which may be deposited with any public officer or any agency for any purpose for
798 which the deposit of bonds is authorized by law.

799 (h) Bonds issued by the trust shall not be deemed to be a debt or a pledge of the faith and
800 credit of the commonwealth or of any of its political subdivisions, but shall be payable solely
801 from the revenues and monies of the fund and other monies and rights pledged to their payment.
802 Bonds shall recite that neither the commonwealth nor any political subdivision thereof shall be
803 obligated to pay the same and neither the faith and credit nor the taxing power of the
804 commonwealth or any political subdivision is pledged to their payment. Every bond shall recite
805 it is a special obligation payable solely from the revenues, funds, assets or other property of the
806 fund.

807 (i) Bonds of the trust shall be deemed to be investment securities under chapter 106.
808 Bonds, their transfer and the income therefrom, including any profit made on the sale thereof,

809 shall, at all times, be exempt from taxation by and within the commonwealth. The trust shall not
810 be required to pay any taxes, assessments or excises upon its income, existence, operation or
811 assets, monies or revenues.

812 Section 5. It shall be lawful for any bank or trust company to act as a depository of the
813 fund or trustee under a trust agreement; provided, that the bank or trust company shall furnish
814 indemnification and reasonable security as the board may require. Any assignment or pledge of
815 revenues, funds and other assets and property made by the trust shall be valid and binding and
816 shall be deemed continuously perfected for the purposes of chapter 106 and other laws when
817 made. The revenues, funds and other assets and property, rights therein and thereto and proceeds
818 so pledged and then held or thereafter acquired or received by the trust shall immediately be
819 subject to the lien of such pledge without any physical delivery or segregation or further act, and
820 the lien of any such pledge shall be valid and binding against all parties having claims of any
821 kind in tort, contract or otherwise against the trust, whether or not such parties have notice
822 thereof. The trust agreement by which a pledge is created need not be filed or recorded to perfect
823 the pledge except in the records of the board and no filing need be made pursuant to said chapter
824 106. Any pledge or assignment made by the trust is an exercise of its political and governmental
825 powers, and loan agreements, local governmental obligations, revenues, funds, assets, property
826 and contract or other rights to receive the same and the proceeds thereof that are subject to the
827 lien of a pledge or assignment created under this chapter shall not be applied to any purposes not
828 permitted by the pledge or assignment. Any holder of a bond and any trustee under a trust
829 agreement, except to the extent its rights may: (i) be restricted by the trust agreement; (ii) bring
830 suit upon the bonds; and (iii) pursue any other legal action to protect and enforce its rights and
831 compel performance of all duties required to be performed by the trust and the board.

832 Section 6. In addition to the other powers set forth in chapter 29C, the board may: (i)
833 make loans and other forms of financial assistance to finance or refinance costs of climate
834 resilient infrastructure projects as authorized by section 2; (ii) acquire, hold and sell local
835 governmental obligations and other instruments evidencing the loans and other forms of financial
836 assistance at such prices and in such manner as the board shall deem advisable; and (iii) secure
837 bonds of the trust with loans, local governmental obligations and other instruments.

838 Section 7. Any municipality, tribal government and public water and wastewater district
839 may apply to the executive office of energy and environmental affairs for a loan to assist in
840 financing the cost of a climate resilient infrastructure project. At the option of the trust, loans
841 may be unsecured or may be secured by local governmental obligations for delivery to the trust
842 to evidence the loan. Each loan shall be made pursuant to a loan agreement between the trust and
843 such entity acting by and through the officer or officers, board, committee or other body
844 authorized by law, or otherwise its chief executive officer. The trust shall have such remedies
845 with respect to defaults on such loans as set forth in section 11 of chapter 29C.

846 Chapter 29F

847 Community Septic Management Program Expansion

848 Section 1. As used in this chapter, the following words shall, unless the context clearly
849 requires otherwise, have the following meanings:

850 “Domestic septic system”, any properly functioning septic system serving a structure
851 used for human habitation that is approved for the intended use pursuant to title 5 of the state
852 environmental code established in 310 CMR 15.000, et seq.

853 “Enhanced nitrogen removal technology”, an enhanced nitrogen removal alternative
854 technology approved by the department of environmental protection in accordance with title 5 of
855 the state environmental code established in 310 CMR 15.000, et seq.

856 “Loan agreement”, an agreement entered into between the trust and a local governmental
857 unit or other eligible borrower pertaining to a loan for the purchase and delivery of local
858 governmental obligations or other instruments evidencing or securing a loan. The term “loan
859 agreement” shall include, but shall not be limited to a: (i) loan agreement; (ii) trust agreement;
860 (iii) trust indenture; (iv) security agreement; (v) reimbursement agreement; (vi) guarantee
861 agreement; (vii) bond or note resolution; (viii) loan order; or (ix) similar instrument whether
862 secured or unsecured.

863 “Local or regional board of health”, any body politic or political subdivision of the
864 commonwealth that acts as a board of health, public health commission or a health department
865 for a municipality; provided, however, that “board of health” shall include, but shall not be
866 limited to, municipal boards of health, regional health districts established under section 27B of
867 chapter 111 and boards of health that share services pursuant to section 4A of chapter 40.

868 Section 2. (a) Notwithstanding chapter 29C or any other general or special law to the
869 contrary, to reduce environmental impacts of nitrogen pollution in vulnerable communities, a
870 local or regional board of health may enter into loan agreements, subject to appropriation, with
871 owners of domestic septic systems to provide for the repair, replacement or upgrade of domestic
872 septic systems.

873 (b) A loan agreement pursuant to subsection (a) shall be to finance the repair,
874 replacement or upgrade of a domestic septic system to incorporate new enhanced nitrogen
875 removal technology or to repair or upgrade existing enhanced nitrogen removal technology.

876 Section 3. (a) A domestic septic system shall qualify for loan assistance if it is located
877 within a: (i) watershed area of a nitrogen-impaired water body as identified in the latest United
878 States Environmental Protection Agency approved final listing of the latest state Integrated List
879 of Waters for the commonwealth; (ii) nitrogen sensitive area as defined in 310 CMR 15.002; or
880 (iii) watershed area of a water body subject to the latest state established total maximum daily
881 load for total nitrogen pollution that is approved by the United States Environmental Protection
882 Agency.

883 (b) A shared domestic septic system located within a watershed area described in
884 subsection (a) may qualify for loan assistance pursuant to subsection (a) for the repair,
885 replacement or upgrade, including installation, if the: (i) shared domestic septic system replaces
886 or services not less than 2 existing domestic septic systems; and (ii) combined shared domestic
887 septic system, including its components, has a discharge volume of less than 10,000 gallons per
888 day and incorporates enhanced nitrogen removal technology.

889 (c) To be eligible for loan assistance each affected owner of a structure used for human
890 habitation benefiting directly from the shared domestic septic system shall enter into a loan
891 agreement with the local or regional board of health in the city or town where such system is
892 located for the repayment of the owner's proportionate share of the costs and expenses incurred
893 by the local or regional board of health for the repair, replacement or upgrade of any part of the
894 shared domestic septic system.

895 (d) An owner of a domestic septic system who enters into any loan agreement shall be
896 responsible for all expenses incurred by the local or regional board of health, directly or
897 indirectly, or required by the local or regional board of health and incurred by the owner for such
898 repairs, replacement or upgrade of a domestic septic system. A notice of any loan agreement
899 shall be recorded as a betterment and shall be subject to the provisions of chapter 80 relative to
900 the apportionment, division, reassessment and collection of assessment, abatement and
901 collections of assessments and to interest; provided, however, that for purposes of this section,
902 such lien shall take effect by operation of law on the day immediately following the due date of
903 such assessment or apportioned part of such assessment and such assessment may bear interest at
904 a rate determined by the city or town treasurer by a loan agreement with the owner at the time a
905 loan agreement is entered into between the local or regional board of health and the property
906 owner. In addition to remedies available under chapter 80, the property owner shall be personally
907 liable for the repayment of the total costs incurred by the city or town under this section;
908 provided, however, that upon assumption of such personal obligation to a purchaser or other
909 transferee of all of the original owners interest in the property at the time of conveyance and the
910 recording of such assumption, the owner shall be relieved of such personal liability.

911 (e) Any costs incurred under this section may be funded by an appropriation or issuance
912 of debt; provided, that any debt incurred shall be subject to chapter 44 and shall not exceed 20
913 years.

914 (f) Any appropriation or borrowing by the city or town pursuant to this section shall not
915 be included for the purpose of computation of the levy or borrowing limits otherwise imposed
916 upon such city or town by the General Laws.

917 (g) An agreement between an owner of domestic septic systems and a local or regional
918 board of health shall not be considered a breach of limitation or prohibition contained in a note,
919 mortgage or contract on the transfer of an interest in property.

920 Section 4. (a) For the purposes of this section, the following words shall, unless the
921 context clearly requires otherwise, have the following meanings:

922 “Condominium”, shall have the same meaning as defined in section 1 of chapter 183A.

923 “Organization of unit owners”, shall have the same meaning as defined in section 1 of
924 chapter 183A.

925 “Unit owner”, shall have the same meaning as defined in section 1 of chapter 183A.

926 (b) Notwithstanding chapter 183A, a local or regional board of health may enter into a
927 betterment agreement with the organization of unit owners of a condominium to finance the
928 repair, replacement or upgrade of a domestic septic system serving a unit, 1 or more of which is
929 used for human habitation; provided, that the domestic septic system shall comprise part of the
930 common areas and facilities.

931 (c) The betterment agreement shall: (i) be approved by a majority of the unit owners
932 benefited by the repair, replacement or upgrade of the septic system or any combination of such
933 septic system improvements; (ii) include an identification of the units and unit owners subject to
934 the agreement and the percentages, as set forth in the master deed, of the undivided interests of
935 the respective units in the common area and facilities; and (iii) include a statement by an officer
936 or trustee of the organization of unit owners certifying that the required number of unit owners
937 have approved the agreement. As between the affected unit owners and the city or town, such

938 certification shall be conclusive evidence of the authority of the organization of unit owners to
939 enter into the agreement.

940 (d) A notice of agreement shall be recorded as a betterment in the registry of deeds or
941 registry district of the land court where the master deed is recorded and shall otherwise be
942 subject to chapter 80 as provided for in this section.

943 (e) The assessment under such agreement may be charged or assessed to the organization
944 of unit owners but shall not constitute an assessment of common expenses. Instead, the allocable
945 share of the assessment, prorated on the basis of the percentage interests of the benefited units in
946 the common areas and facilities, shall attach as a lien only to the units identified in the recorded
947 notice and benefited by the repair, replacement or upgrade of the domestic septic system or any
948 combination of such domestic septic system improvements and the owners of such units shall be
949 personally liable for their allocable share of the assessment as provided for in this section.

950 Section 5. The department of environmental protection may promulgate regulations to
951 carry out the purposes of this section.

952 SECTION 14. Subsection (a) of section 2 of chapter 29E of the General Laws, inserted
953 by section 13, is hereby amended by striking out the words “and (v) any other amounts required
954 to be credited to the trust by operation of law, resolution or agreement entered into by the board”
955 and inserting in place thereof the following words:- (v) any other amounts required to be credited
956 to the trust by operation of law, resolution or agreement entered into by the board; and (vi) any
957 amounts transferred pursuant to paragraph (2) of subsection (d) of section 168 of chapter 175.

958 SECTION 15. Section 62E of chapter 30 of the General Laws, as appearing in the 2024
959 Official Edition, is hereby amended by adding the following paragraph:-

960 For the purposes of this paragraph, “nature-based solutions projects” shall include, but
961 shall not be limited to, projects whose primary purpose is to restore, enhance or create wetland
962 resource areas while increasing resilience or improving ecological function using natural
963 methods and materials and “priority housing projects” shall mean housing projects that are: (i)
964 housing-centered; (ii) dense; (iii) on infill sites; (iv) energy efficient; (v) designed to be
965 adequately served by utilities; (vi) designed to promote resilience to flooding and other climate
966 hazards; and (vii) designed to encourage access by multiple modes of transportation. The
967 secretary of energy and environmental affairs, in consultation with the secretary of housing and
968 livable communities, may establish categories of projects that are not presumed likely to cause
969 damage to the environment and that shall not require an environmental impact report regardless
970 of location for: (i) priority housing projects consistent with commonwealth land use planning and
971 housing strategies and plans, climate resilient design guidelines and environmental priorities; and
972 (ii) nature-based solutions projects. The priority housing projects and nature-based solutions
973 projects shall meet standards determined by the secretary of energy and environmental affairs, in
974 consultation with the secretary of housing and livable communities. Notwithstanding the
975 foregoing, the secretary of energy and environmental affairs may determine that a particular
976 project shall require an environmental impact report based on a review of a notification form
977 submitted pursuant to section 62A.

978 SECTION 16. Section 1 of chapter 61 of the General Laws, as so appearing, is hereby
979 amended by striking out the definitions of “cut”, “forest land”, “forest products”, “certification”,
980 “contiguous land”, “forest management plan” or “management plan” and “cutting plan” and
981 inserting in place thereof the following 7 definitions:-

982 “Certification”, approval of a forest management plan by the state forester.

983 “Contiguous land”, land separated from other land under the same ownership by a public
984 or private way, waterway or an easement for water supply.

985 “Cut”, sever or taken from the soil.

986 “Cutting plan”, a completed copy of a form approved by the state forester that describes
987 the species, dimensions and quantity of a proposed forest crop to be harvested and which is
988 certified by the state forester as being in accordance with sections 42 to 46, inclusive, of chapter
989 132.

990 “Forest land”, land devoted to the growth of forest products. Upon application, the state
991 forester may allow accessory land devoted to other non-timber uses to be included in
992 certification.

993 “Forest management plan” or “management plan”, a completed copy of a form provided
994 by the state forester executed by the owner and the state forester that provides for a 10-year
995 program of forest management which may include, but shall not be limited to, intermediate and
996 regeneration cuttings.

997 “Forest products”, wood, timber, Christmas trees, other tree forest growth, carbon
998 sequestration and storage and any other product produced by forest vegetation.

999 SECTION 17. Section 8 of said chapter 61, as so appearing, is hereby amended by
1000 striking out, in lines 94 and 111, the words “section 23B of chapter 39” and inserting in place
1001 thereof, in each instance, the following words:- sections 18 to 25, inclusive, of chapter 30A.

1002 SECTION 18. Said chapter 61 is hereby further amended by adding following section:-

1003 Section 9. (a) The department of conservation and recreation shall have a first refusal
1004 option to meet a bona fide offer to purchase land proposed for sale pursuant to section 8 or an
1005 option to purchase such land at full and fair market value in the case of conversion, which option
1006 shall be subordinate to that of a town or city pursuant to section 8. Except as provided herein, the
1007 department shall have all applicable rights and obligations of cities and towns under section 8,
1008 including, but not limited to, the: (i) right of entry upon the land; (ii) provision of non-exercise
1009 notices; and (iii) recording of notices of exercise at the appropriate registry of deeds. The
1010 department or its assignee and the town or city may cooperate to satisfy the appraisal
1011 requirements or other obligations required by section 8 or this section.

1012 (b) If the notice of intent to sell or convert provided to the state forester pursuant to
1013 section 8 does not contain all the required material, then the department, within 30 days of
1014 receipt of the notice, shall notify the landowner and town or city, in writing, that the notice is
1015 insufficient and does not comply.

1016 (c) A holder of a mortgage shall send written notice of a mortgage foreclosure sale to the
1017 commissioner of the department in the same manner as to other parties as required by section 8.

1018 (d) A city or town shall provide to the commissioner any notice of: (i) public hearing; (ii)
1019 exercise or non-exercise; and (iii) assignment in the same manner, and containing the same
1020 materials, as is required to be given to the landowner pursuant to section 8.

1021 (e) The department may assign its option to the division of fisheries and wildlife of the
1022 department of fish and game; provided, that a notice of assignment shall be recorded pursuant to
1023 section 8.

1024 (f) The department or its assignee may exercise its option only after: (i) consultation with
1025 the executive office of housing and livable communities and the executive office of economic
1026 development; and (ii) holding a public hearing. Said public hearing shall be held pursuant to
1027 sections 18 to 25, inclusive, of chapter 30A within the town or city where the land is located or
1028 in 1 such town or city if the land crosses a municipal boundary and shall be held prior to
1029 submission of a written notice of intent to exercise an option under this section. The department
1030 or assignee, at said hearing, shall disclose the reasons for exercise of the option pursuant to this
1031 section and identify any assignment by the department. The department or its assignee may
1032 comply with the public hearing requirement by participating in a scheduled public meeting of a
1033 town or city.

1034 (g) The department or its assignee may exercise an option under this section by providing
1035 written notice of its intent to the town or city and landowner prior to the end of the same 120-day
1036 period available to the town or city for exercise of its option pursuant to section 8. An option so
1037 exercised shall be effective at such time as the town or city records a notice of non-exercise with
1038 the registry of deeds or at such time that the town's or city's option otherwise expires.

1039 (h) The department shall record its notice of assignment or notice of exercise within 30
1040 days of the earliest of: (i) receipt by the commissioner of a notice of non-exercise from the town
1041 or city; (ii) expiration of a town or city option by failure to record a notice of exercise or notice
1042 of assignment; or (iii) receipt by the commissioner of notice from the landowner of expiration for
1043 any other reason.

1044 (i) Land acquired by the department or the division of fisheries and wildlife pursuant to
1045 this section shall be permanently dedicated for public purposes as specified in Article XCVII of
1046 the Amendments to the Constitution of the Commonwealth.

1047 SECTION 19. Section 14 of chapter 61A of the General Laws, as appearing in the 2024
1048 Official Edition, is hereby amended by striking out, in lines 95 and 112, the words “section 23B
1049 of chapter 39” and inserting in place thereof, in each instance, the following words:- sections 18
1050 to 25, inclusive, of chapter 30A.

1051 SECTION 20. Said chapter 61A is hereby further amended by inserting after section 14
1052 the following section:-

1053 Section 14A. (a) The department of agricultural resources shall have a first refusal option
1054 to meet a bona fide offer to purchase land proposed for sale pursuant to section 14 or an option to
1055 purchase such land at full and fair market value in the case of conversion, which option shall be
1056 subordinate to that of a town or city pursuant to section 14. Except as provided herein, the
1057 department shall have all applicable rights and obligations of cities and towns under section 14,
1058 including, but not limited to, the: (i) right of entry upon the land; (ii) provision of non-exercise
1059 notices; and (iii) recording of notices of exercise at the appropriate registry of deeds. The
1060 department or its assignee and the town or city may cooperate to satisfy the appraisal
1061 requirements or other obligations required by section 14 or this section.

1062 (b) Any notice of intent to sell or convert required by section 14 and all required
1063 accompanying materials shall be provided to the commissioner of agricultural resources in the
1064 same manner as they are conveyed by the landowner to other parties. If the notice of intent to sell
1065 or convert provided to the commissioner does not contain all the required material, then the

1066 department, within 30 days of receipt of the notice, shall notify the landowner and town or city,
1067 in writing, that the notice is insufficient and does not comply.

1068 (c) A holder of a mortgage shall send written notice of a mortgage foreclosure sale to the
1069 commissioner of the department in the same manner as to other parties as required by section 14.

1070 (d) A city or town shall provide to the commissioner any notice of: (i) public hearing; (ii)
1071 exercise or non-exercise; and (iii) assignment in the same manner, and containing the same
1072 materials, as to the landowner pursuant to section 14.

1073 (e) The department may assign its option to the department of conservation and
1074 recreation; provided, that a notice of assignment shall be recorded pursuant to section 14.

1075 (f) The department or its assignee may exercise its option only after: (i) consultation with
1076 the executive office of housing and livable communities and the executive office of economic
1077 development; and (ii) holding a public hearing. Said public hearing shall be held pursuant to
1078 sections 18 to 25, inclusive, of chapter 30A within the town or city where the land is located or
1079 in 1 such town or city if the land crosses a municipal boundary and shall be held prior to
1080 submission of a written notice of intent to exercise an option under this section. The department
1081 or assignee, at said hearing, shall disclose the reasons for exercise of the option pursuant to this
1082 section and identify any assignment by the department. The department or its assignee may
1083 comply with the public hearing requirement by participating in a scheduled public meeting of a
1084 town or city.

1085 (g) The department or its assignee may exercise an option under this section by providing
1086 written notice of its intent to the town or city and landowner prior to the end of the same 120-day
1087 period available to the town or city for exercise of its option pursuant to section 14. An option so

1088 exercised shall be effective at such time as the town or city records a notice of non-exercise with
1089 the registry of deeds or that the town's or city's option otherwise expires.

1090 (h) The department shall record its notice of assignment or notice of exercise within 30
1091 days of the earliest of: (i) receipt by the commissioner of a notice of non-exercise from the town
1092 or city; (ii) expiration of a town or city option by failure to record a notice of exercise or notice
1093 of assignment; or (iii) receipt by the commissioner of notice from the landowner of expiration for
1094 any other reason.

1095 (i) Land acquired by the department of agricultural resources or the department of
1096 conservation and recreation pursuant to this section shall be permanently dedicated for public
1097 purposes as specified in Article XCVII of the Amendments to the Constitution of the
1098 Commonwealth.

1099 SECTION 21. Section 9 of chapter 61B of the General Laws, as appearing in the 2024
1100 Official Edition, is hereby amended by striking out, in lines 95 and 112, the words "section 23B
1101 of chapter 39" and inserting in place thereof, in each instance, the following words:- sections 18
1102 to 25, inclusive, of chapter 30A.

1103 SECTION 22. Said chapter 61B is hereby further amended by inserting after section 9 the
1104 following section:-

1105 Section 9A. (a) The department of conservation and recreation shall have a first refusal
1106 option to meet a bona fide offer to purchase land proposed for sale pursuant to section 9 or an
1107 option to purchase such land at full and fair market value in the case of conversion, which option
1108 shall be subordinate to that of a town or city pursuant to section 9. Except as provided herein, the
1109 department shall have all applicable rights and obligations of cities and towns under section 9,

1110 including, but not limited to, the: (i) right of entry upon the land; (ii) provision of non-exercise
1111 notices; and (iii) recording of notices of exercise at the appropriate registry of deeds. The
1112 department or its assignee and the town or city may cooperate to satisfy the appraisal
1113 requirements or other obligations required by section 9 or this section.

1114 (b) If the notice of intent to sell or convert provided to the state forester pursuant to
1115 section 9 does not contain all the required material, then the department, within 30 days of
1116 receipt of the notice, shall notify the landowner and town or city, in writing, that the notice is
1117 insufficient and does not comply.

1118 (c) A holder of a mortgage shall send written notice of a mortgage foreclosure sale to the
1119 commissioner of the department in the same manner as to other parties as required by section 9.

1120 (d) A city or town shall provide to the commissioner any notice of: (i) public hearing; (ii)
1121 exercise or non-exercise; and (iii) assignment in the same manner, and containing the same
1122 materials, as is required to be given to the landowner pursuant to section 9.

1123 (e) The department may assign its option to the division of fisheries and wildlife of the
1124 department of fish and game; provided, that a notice of assignment shall be recorded pursuant to
1125 section 9.

1126 (f) The department or its assignee may exercise its option only after: (i) consultation with
1127 the executive office of housing and livable communities and the executive office of economic
1128 development; and (ii) holding a public hearing. Said public hearing shall be held pursuant to
1129 sections 18 to 25, inclusive, of chapter 30A within the town or city where the land is located or
1130 in 1 such town or city if the land crosses a municipal boundary and shall be held prior to
1131 submission of a written notice of intent to exercise an option under this section. The department

1132 or assignee, at said hearing, shall disclose the reasons for exercise of the option pursuant to this
1133 section and identify any assignment by the department. The department or its assignee may
1134 comply with the public hearing requirement by participating in a scheduled public meeting of a
1135 town or city.

1136 (g) The department or its assignee may exercise an option under this section by providing
1137 written notice of its intent to the town or city and landowner prior to the end of the same 120-day
1138 period available to the town or city for exercise of its option pursuant to section 9. An option so
1139 exercised shall be effective at such time as the town or city records a notice of non-exercise with
1140 the registry of deeds or at such time that the town's or city's option otherwise expires.

1141 (h) The department shall record its notice of assignment or notice of exercise within 30
1142 days of the earliest of: (i) receipt by the commissioner of a notice of non-exercise from the town
1143 or city; (ii) expiration of a town or city option by failure to record a notice of exercise or notice
1144 of assignment; or (iii) receipt by the commissioner of notice from the landowner of expiration for
1145 any other reason.

1146 (i) Land acquired by the department of conservation and recreation or the department of
1147 fish and game pursuant to this section shall be permanently dedicated for public purposes as
1148 specified in Article XCVII of the Amendments to the Constitution of the Commonwealth.

1149 SECTION 23. Section 2 of chapter 91 of the General Laws, as appearing in the 2024
1150 Official Edition, is hereby amended by striking out, in line 22, the words "and council" and
1151 inserting in place thereof the following words:- or a designee.

1152 SECTION 24. Section 2A of said chapter 91, as so appearing, is hereby amended by
1153 striking out, in lines 11, 15 and 20, the words “and council” and inserting in place thereof, in
1154 each instance, the following words:- or a designee.

1155 SECTION 25. Section 4 of said chapter 91, as so appearing, is hereby amended by
1156 striking out, in line 4, the words “and council” and inserting in place thereof the following
1157 words:- or a designee.

1158 SECTION 26. Section 5 of said chapter 91, as so appearing, is hereby amended by
1159 striking out, in line 1, the words “and council” and inserting in place thereof the following
1160 words:- or a designee.

1161 SECTION 27. Section 6 of said chapter 91, as so appearing, is hereby amended by
1162 striking out, in lines 9 and 10, the words “and council” and inserting in place thereof the
1163 following words:- or a designee.

1164 SECTION 28. Section 9A of said chapter 91, as so appearing, is hereby amended by
1165 striking out, in lines 17 and 18, the words “and council” and inserting in place thereof the
1166 following words:- or a designee.

1167 SECTION 29. Section 13 of said chapter 91, as so appearing, is hereby amended by
1168 striking out, in lines 11 and 12, the words “and council” and inserting in place thereof the
1169 following words:- or a designee.

1170 SECTION 30. Section 14 of said chapter 91, as so appearing, is hereby amended by
1171 striking out, in lines 6 and 7, the words “and council” and inserting in place thereof the following
1172 words:- or a designee.

1173 SECTION 31. Section 18 of said chapter 91, as so appearing, is hereby amended by
1174 striking out, in lines 55 and 56, the words “newspaper or newspapers having a circulation in the
1175 area affected by said license at the expense of the applicant” and inserting in place thereof the
1176 following words:- manner specified by the department in regulations for the area affected by said
1177 license at the expense of the applicant. Until the regulations become effective, the notice shall be
1178 published at the same time as the preceding notices in a newspaper or newspapers having
1179 circulation in the area affected by the license at the expense of the applicant.

1180 SECTION 32. Said section 18 of said chapter 91, as so appearing, is hereby further
1181 amended by striking out the tenth paragraph and inserting in place thereof the following
1182 paragraph:-

1183 No license shall be granted for private tidelands unless, upon or prior to applying for a
1184 license pursuant to this section, the applicant shall submit to the clerk of the affected cities or
1185 towns where the work is to be performed an application containing the proposed use, the
1186 location, the dimensions and limits and the mode of work to be performed.

1187 SECTION 33. Said chapter 91 is hereby further amended by inserting after section 18C
1188 the following 2 sections:-

1189 Section 18D. (a) For the purposes of this section, “nature-based solutions projects” shall
1190 include, but shall not be limited to, projects whose primary purpose is to restore, enhance or
1191 create wetland resource areas while increasing resilience or improving ecological function using
1192 natural methods and materials.

1193 (b) Notwithstanding any general or special law to the contrary, the department may issue
1194 a general license and general permit authorizing dredging, fill and structures associated with

1195 certain activities and projects, as specified by the department, in tidelands, great ponds, rivers
1196 and streams that are otherwise subject to individual licensing under sections 12, 12A, 13, 14, 18
1197 and 19, including, but not limited to: (i) marsh restoration and other ecosystem creation or
1198 restoration activities, such as vegetative plantings and streambed alteration that could include
1199 wads, and pedestrian bridge crossings; (ii) nature-based solutions projects; (iii) culvert
1200 replacements, including, but not limited to, those associated with bridges; (iv) great pond
1201 drawdowns; (v) dredging and placement of benthic barriers for invasive vegetation removal and
1202 harvesting; (vi) aquaculture not eligible for a permit or license under section 10A; (vii) dredging
1203 associated with activities not subject to licensing or permitting; (viii) temporary navigational and
1204 access impacts that last less than 1 year and are associated with activities not subject to licensing
1205 or permitting; (ix) pipelines, cables, conduits, sewers and similar structures installed under
1206 flowed tidelands or great ponds that are entirely embedded in the soil and that are installed by
1207 horizontal directional drilling or micro tunneling methods; (x) placement of cultch; and (xi) any
1208 other activities and projects that the department determines through regulations to be subject to a
1209 general license or permit.

1210 (c) Projects beyond any established harbor line shall not be eligible for coverage under a
1211 general license or permit pursuant to this section unless the project is specifically authorized by
1212 law, or, if not so authorized, is limited to dredging activities or a structure or fill that is entirely
1213 embedded in the soil and does not in any part occupy or project into such tidewater beyond the
1214 harbor line; provided, however, that the department may at any time require any structure or fill
1215 to be removed or relocated if channel changes or alteration demands the same, as required by
1216 section 14; and provided further, that this subsection shall not affect the eligibility of projects in
1217 areas without established harbor lines.

1218 (d) The department may consider the cumulative impacts of activities in a geographic
1219 area in determining whether a particular project is appropriate for coverage under a general
1220 license or permit.

1221 (e) A licensee or permittee pursuant to this section shall comply with all general license
1222 or permit standards issued as regulations by the department and any specific conditions
1223 prescribed by the department pursuant to the general license or permit.

1224 (f) A proponent of a project eligible for coverage under a general license or permit
1225 pursuant to this section shall certify compliance with its terms and conditions to the department
1226 and shall pay all applicable fees required by this chapter before beginning construction. The
1227 department may perform annual audits to monitor compliance with the general license or permit
1228 requirements of this section.

1229 (g)(1) Upon or prior to applying for coverage under a general license or permit pursuant
1230 to this section, the project proponent shall: (i) submit to the planning board of a city or town
1231 where the work is to be performed and to the clerk of said city or town a statement of the
1232 proposed use, the location, the dimensions and limits and the mode of work to be performed; (ii)
1233 provide notice to the select board of the town or the mayor of the city and the conservation
1234 commission of the town or city where the work is to be performed; and (iii) provide public notice
1235 in a manner specified by the department by regulation.

1236 (2) The project proponent shall specify by metes, bounds and otherwise the location,
1237 dimensions and limits and mode of performing the work and shall submit a plan of the work or
1238 structure in its application to the department for coverage under the general license or permit.

1239 (3) A department certification for the general license for a project shall be void unless,
1240 within 60 days after certification, the department certification and the accompanying plan
1241 pursuant to paragraph (2) are recorded in the registry of deeds for the county or district in which
1242 the work is to be performed. Work or change in use shall not commence until the department
1243 general license certification is recorded and the department has received notification of said
1244 recordation. Such recording requirement shall not apply to a certification to the general permit.

1245 (4) Assessments for tidewater displacement and occupation of commonwealth tidelands
1246 shall be paid by the project proponent in its application for coverage to the department.

1247 (h) Any change in use or structural alteration of a licensed or permitted structure or fill
1248 shall require a new application to the department and, for projects seeking new coverage under a
1249 general license or general permit, compliance with the requirements of subsection (g). Any
1250 unauthorized substantial change in use or unauthorized substantial structural alteration shall
1251 render coverage under the general license or permit void. Coverage under the general license or
1252 permit granted by the department pursuant to this chapter shall be revocable by the department
1253 for noncompliance with the conditions set forth therein. The department shall not revoke
1254 coverage under any general license or permit until it has given written notice of the alleged
1255 noncompliance to the licensee or permittee and any person who has filed a written request for
1256 such notice with the department and afforded such person a reasonable opportunity to correct
1257 said noncompliance.

1258 (i) Sections 18 and 20 shall not apply to projects subject to a general license or permit;
1259 provided, however, that the project proponent shall submit to the department plans of any

1260 proposed work to be performed and a copy of any legislative grant in its application for coverage
1261 to the department.

1262 (j)(1) The department shall adopt regulations to implement this section. Such regulations
1263 shall prescribe which activities are eligible for the general license or general permit and those
1264 projects that may allow for fill or structures to acclimatize to natural conditions; provided, that
1265 such projects shall not significantly interfere with any rights held by the commonwealth in trust
1266 for the public to use tidelands, great ponds and other waterways for lawful purposes and public
1267 rights of access on private tidelands, great ponds and other waterways for any lawful use.

1268 (2) The department shall submit any regulations promulgated under this section to the
1269 joint committee on environment and natural resources for its review within 60 days prior to the
1270 effective date of said regulations.

1271 Section 18E. (a) For the purposes of this section, “priority housing projects” shall mean
1272 housing projects that are: (i) housing-centered; (ii) dense; (iii) on infill sites; (iv) energy efficient;
1273 (v) designed to be adequately served by utilities; (vi) designed to promote resilience to flooding
1274 and other climate hazards; and (vii) designed to encourage access by multiple modes of
1275 transportation.

1276 (b) Notwithstanding any general or special law to the contrary, the department may issue
1277 a general license authorizing priority housing projects consistent with commonwealth land use
1278 planning and housing strategies and plans, climate resilient design guidelines and environmental
1279 priorities in tidelands otherwise subject to individual licensing pursuant to sections 12, 12A, 13,
1280 14, 18 and 19.

1281 (c) Projects beyond any established harbor line shall not be eligible for coverage under a
1282 general license pursuant to this section unless the project is specifically authorized by law, or, if
1283 not so authorized, is limited to dredging activities or a structure or fill that is entirely embedded
1284 in the soil and does not in any part occupy or project into such tidewater beyond the harbor line;
1285 provided, however, that the department may at any time require any structure or fill to be
1286 removed or relocated if channel changes or alteration demands the same, as required by section
1287 14; and provided further, that this subsection shall not affect the eligibility of projects in areas
1288 without established harbor lines.

1289 (d) The department may consider the cumulative impacts of activities in a geographic
1290 area in determining whether a particular project is appropriate for coverage under a general
1291 license.

1292 (e) A licensee pursuant to this section shall comply with all general license standards
1293 issued as regulations by the department and any specific conditions prescribed by the department
1294 pursuant to the general license.

1295 (f) A proponent of a project eligible for coverage under a general license pursuant to this
1296 section shall certify compliance with its terms and conditions to the department and shall pay all
1297 applicable fees required by this chapter before beginning construction. The department may
1298 perform annual audits to monitor compliance with the general license requirements of this
1299 section.

1300 (g)(1) Upon or prior to applying for coverage under a general license pursuant to this
1301 section, the project proponent shall: (i) submit to the planning board of a city or town where the
1302 work is to be performed and to the clerk of said city or town a statement of the proposed use, the

1303 location, the dimensions and limits and the mode of work to be performed; (ii) provide notice to
1304 the select board of the town or the mayor of the city and the conservation commission of the
1305 town or city where the work is to be performed; and (iii) provide public notice in a manner
1306 specified by the department by regulation.

1307 (2) The project proponent shall specify by metes, bounds and otherwise the location,
1308 dimensions and limits and mode of performing the work and shall submit a plan of the work or
1309 structure in its application to the department for coverage under the general license.

1310 (3) A department certification for the general license for a project shall be void unless,
1311 within 60 days after certification, the department certification and the accompanying plan
1312 pursuant to paragraph (2) are recorded in the registry of deeds for the county or district where the
1313 work is to be performed. Work or change in use shall not commence until the department general
1314 license certification is recorded and the department has received notification of said recordation.

1315 (4) Assessments for tidewater displacement and occupation of commonwealth tidelands
1316 shall be paid by the project proponent in its application for coverage to the department.

1317 (h) Any change in use or structural alteration of a licensed structure or fill shall require a
1318 new application to the department and, for projects seeking new coverage under a general
1319 license, compliance with the requirements of subsection (g). Any unauthorized substantial
1320 change in use or unauthorized substantial structural alteration shall render coverage under the
1321 general license void. Coverage under the general license granted by the department pursuant to
1322 this chapter shall be revocable by the department for noncompliance with the conditions set forth
1323 therein. The department shall not revoke coverage under any general license until it has given
1324 written notice of the alleged noncompliance to the licensee and any person who has filed a

1325 written request for such notice with the department and afforded such persons a reasonable
1326 opportunity to correct said noncompliance.

1327 (i) Sections 18 and 20 shall not apply to projects subject to a general license; provided,
1328 however, that the project proponent shall submit to the department plans of any proposed work to
1329 be performed and a copy of any legislative grant in its application for coverage to the
1330 department.

1331 (j)(1) The department shall adopt regulations to implement this section. Such regulations
1332 shall prescribe which activities are eligible for the general license and those projects that may
1333 allow for fill or structures to acclimatize to natural conditions; provided, however, that such
1334 projects shall not significantly interfere with any rights held by the commonwealth in trust for
1335 the public to use tidelands, great ponds and other waterways for lawful purposes and public
1336 rights of access on private tidelands, great ponds and other waterways for any lawful use.

1337 (2) The department shall submit any regulations promulgated under this section to the
1338 joint committee on environment and natural resources for its review within 60 days prior to the
1339 effective date of said regulations.

1340 SECTION 34. Section 31 of said chapter 91, as appearing in the 2024 Official Edition, is
1341 hereby amended by striking out, in line 9, the words “and council” and inserting in place thereof
1342 the following words:- or a designee.

1343 SECTION 35. Section 35 of said chapter 91, as so appearing, is hereby amended by
1344 adding the following paragraph:-

1345 Except as otherwise provided in this chapter, the commonwealth shall retain title to any
1346 waters or land below the low water line of a great pond in perpetuity. Persons passing by foot
1347 over areas between high water and low water lines of a great pond shall not be in violation of
1348 section 120 of chapter 266 nor subject to arrest for trespass; provided, that said persons shall
1349 remain within an area that a reasonable person would believe to be below the high water line,
1350 which shall include areas of wet sand and areas below the seaweed line. In areas where natural
1351 processes, with or without human intervention, have caused the landward or lateral movement of
1352 a barrier beach into an area below the historic low water line of any great pond, the portion of the
1353 barrier beach relocated into the former bottom of the great pond shall be and remain in
1354 commonwealth ownership in perpetuity; provided, that this paragraph shall not convert
1355 ownership of any portion of private property to public ownership in violation of Article X of the
1356 Declaration of Rights of the Constitution of the Commonwealth or the Fourteenth Amendment of
1357 the United States Constitution. As used in this paragraph, the term “barrier beach” shall mean a
1358 narrow low-lying strip of land generally consisting of coastal beaches and coastal dunes
1359 extending roughly parallel to the trend of the coast that is separated from the mainland by a
1360 narrow body of fresh, brackish or saline water or a marsh system. A barrier beach may be joined
1361 to the mainland at 1 or both ends.

1362 SECTION 36. Said chapter 91 is hereby further amended by adding the following
1363 section:-

1364 Section 65. (a)(1) The secretary, in consultation with the commissioner of environmental
1365 protection and the commissioner of fish and game, shall establish standards and guidelines for
1366 the resilient design of culverts, including, but not limited to, culverts associated with bridges.
1367 The purpose of the standards and guidelines shall be to expedite the permitting of new municipal

1368 or replacement of existing municipal culverts. The standards and guidelines shall consider
1369 projected future levels of and impacts from precipitation, stormwater or flood events and impacts
1370 to fisheries and wildlife and their habitats and shall integrate the Massachusetts stream crossing
1371 standards and any other relevant standards, including then-current tidal crossing standards or
1372 resilience design standards. The standards and guidelines shall be based on scientific
1373 information, including, but not limited to, projected precipitation, hydrology and fisheries and
1374 wildlife and their habitats.

1375 (2) The secretary, in consultation with the commissioner of environmental protection and
1376 the commissioner of fish and game, shall review the standards and guidelines not later than 5
1377 years after they have been in effect.

1378 (3) Nothing in this section shall be construed to limit the authority of the department of
1379 environmental protection to establish standards and guidelines for stream crossings; provided,
1380 that such standards shall not conflict with the standards established by the secretary pursuant to
1381 this section.

1382 (b) No project shall be eligible for a general permit, general license or inclusion in a
1383 special category pursuant to subsections (d) to (f), inclusive, unless the project meets each of the
1384 following criteria:

1385 (i) the project involves a municipal project to repair, reconstruct or replace an existing
1386 municipal culvert or culverts, including culverts associated with bridges with spans of less than
1387 20 feet;

1388 (ii) the project complies with the standards and guidelines issued pursuant to subsection
1389 (a) to the extent practicable;

1390 (iii) except as needed to comply with clause (ii), the project provides substantially the
1391 same principal transportation capacity and is in a similar alignment to the structure to be
1392 repaired, reconstructed or replaced, including as to the immediate approaches necessary to
1393 connect a structure to an existing adjacent road, and the project does not include components of a
1394 reconstruction project other than the crossing and immediate approaches that are otherwise
1395 subject to permitting or licensing; provided, that the addition of sidewalks, bike lanes or
1396 shoulders that are collectively less than a single lane in width shall not be deemed to
1397 substantially change the principal transportation capacity of an existing structure;

1398 (iv) if a project is located or will take place in priority habitat designated by the natural
1399 heritage and endangered species program of the division of fisheries and wildlife, the proponent
1400 has provided to that program for review all materials required by the program and the program
1401 has completed its review and has determined that the proponent has demonstrated that the project
1402 will not result in take with or without conditions; and

1403 (v) the project complies with any other conditions established by regulations issued
1404 pursuant to this section.

1405 (c) The secretary of energy and environmental affairs and the commissioner of
1406 environmental protection shall issue any regulations or take other actions necessary or
1407 appropriate to implement the use of the standards and guidelines established under subsection (a)
1408 to expedite implementation of projects meeting the criteria described in subsection (b) which
1409 require a certificate, permit, license or other approval pursuant to: (i) section 61 and sections 62A
1410 to 62L, inclusive, of chapter 30; (ii) chapter 91; (iii) section 40 of chapter 131; and (iv) section
1411 401 of the federal Water Pollution Control Act, Public Law 92-500, 33 U.S.C. section 1251 et

1412 seq., as amended. Any regulations shall require that for projects meeting the criteria described in
1413 subsection (b), the department of environmental protection shall issue, deny or waive individual
1414 certifications pursuant to said section 401 of the federal Water Pollution Control Act not later
1415 than 60 days of receipt of a complete application.

1416 (d)(1) The department of environmental protection, for projects meeting the criteria
1417 described in subsection (b) and for the purposes of ensuring more expeditious processing of
1418 approvals for such projects, shall issue regulations that create a general permit for the
1419 authorization of such projects, or a subset thereof, under section 40 of chapter 131.

1420 (2) The permittee shall comply with all general permit performance standards established
1421 by such regulations and any additional conditions specified by the approving authority that are
1422 necessary to protect the resource areas because of unique circumstances that are not addressed by
1423 the general permit performance standards. Local wetlands bylaws and ordinances shall not apply
1424 to the projects authorized under the general permit.

1425 (3) The procedures described in said section 40 of said chapter 131 shall apply to general
1426 permits issued pursuant to this subsection; provided, however, that:

1427 (A) Written notice of intention under the general permit shall be submitted to the
1428 conservation commission or its authorized representative and the department of environmental
1429 protection by electronic delivery in a manner prescribed by the department. A person submitting
1430 a notice of intention shall publish notification of the proposed project in a print newspaper of
1431 local or general circulation, or a newspaper's website, including on-line only newspaper
1432 publications, or a statewide or city- or town-wide website that may be maintained as a repository
1433 for such notices at the time of submittal of the notice of intention. Said notification shall describe

1434 the project location, details of the project, resource area impacts and any other relevant
1435 information needed to adequately describe the proposed project and shall specify that comments
1436 be sent within 14 days of publication to the conservation commission and the appropriate
1437 regional office of the department of environmental protection based on the location where the
1438 activities are proposed. No public hearing shall be required.

1439 (B) If, after reviewing the notice of intention, the conservation commission determines
1440 the project meets the criteria described in subsection (b), including any standards developed by
1441 the department of environmental protection, then the conservation commission shall issue an
1442 order of conditions containing any conditions pursuant to regulations established under
1443 paragraph (1) of subsection (d) not later than 42 days of a complete notice of intention under this
1444 general permit. Notices of intention not meeting the criteria of this paragraph shall be denied.

1445 (4) If a conservation commission fails to issue an order of conditions or denial within the
1446 required time period, the project proponent may, not later than 10 days after such failure to act,
1447 request a superseding order of conditions from the department of environmental protection. The
1448 department of environmental protection shall make a decision and issue a written order or denial
1449 not later than 42 days from receipt of a complete application.

1450 (5) The twentieth paragraph of section 40 of chapter 131 shall not apply to the general
1451 permit except that not later than 10 days of receipt by the department of environmental
1452 protection of an order of conditions issued pursuant to this general permit, the department may
1453 appeal such order of conditions pursuant to said twentieth paragraph of said section 40 of said
1454 chapter 131.

1455 (e) Notwithstanding any general or special law to the contrary, the department of
1456 environmental protection, for projects meeting the criteria described in subsection (b) and for the
1457 purposes of ensuring more expeditious processing of approvals for such projects, shall issue
1458 regulations to create a general license for the authorization of such projects, or a subset thereof,
1459 which are otherwise subject to individual licensing under sections 12, 12A, 13, 14, 18 and 19.
1460 Licensees shall comply with any general license performance standards established by such
1461 regulations and any additional conditions specified by the department. A proponent of a project
1462 eligible for a general license under this section shall certify compliance with its terms and
1463 conditions to the department on such timelines as the department requires and shall pay all
1464 applicable fees required by the department. The department shall review such certification and, if
1465 consistent with the general license, confirm compliance in writing not later than 60 days of
1466 receipt of a complete application. No construction subject to said chapter 91 shall commence
1467 prior to issuance of such certification by the department. The regulations shall protect and
1468 preserve any rights held by the commonwealth in trust for the public to use tidelands, great
1469 ponds and other waterways for lawful purposes and public rights of access on private tidelands,
1470 great ponds and other waterways for any lawful use. Subsections (g) to (i), inclusive, of section
1471 18D shall apply to general licenses issued pursuant to this paragraph.

1472 (f) Notwithstanding any general or special law to the contrary, the secretary may by
1473 regulation provide that projects meeting the criteria described in subsection (b), or a subset of
1474 such projects, shall be a special category of project which shall not require an environmental
1475 impact report under section 62B of chapter 30 regardless of location.

1476 (g) The department of environmental protection shall consolidate adjudicatory
1477 proceedings regarding the same proposed project that are requested for permits and licenses

1478 pursuant to subsections (d) to (f), inclusive, or certifications pursuant to subsection (c) unless
1479 consolidation would not contribute to expeditious resolution of the appeals.

1480 (h) The department and executive office shall provide support and guidance to cities and
1481 towns to assist them in applying concurrently for and otherwise streamlining the review and
1482 approval of projects eligible for general permits, general licenses or other approvals pursuant to
1483 this section.

1484 (i) Nothing in this section shall be construed to change the application of section 24 of
1485 chapter 79 of the acts of 2014.

1486 SECTION 37. Section 65 of said chapter 91 is hereby repealed.

1487 SECTION 38. Section 33 of chapter 92 of the General Laws, as appearing in the 2024
1488 Official Edition, is hereby amended by striking out the fourth paragraph.

1489 SECTION 39. Subsections (c) and (d) of section 34B of said chapter 92 are hereby
1490 repealed.

1491 SECTION 40. Sections 37 and 38 of said chapter 92 are hereby repealed.

1492 SECTION 41. Section 42 of said chapter 92, as appearing in the 2024 Official Edition, is
1493 hereby amended by striking out the first sentence and inserting in place thereof the following
1494 sentence:- The commission may grant to towns, or to a water or sewer authority or district,
1495 locations for common sewers and drains or water supply infrastructure in and across roadways
1496 and any associated rights of way under its care and control.

1497 SECTION 42. Said section 42 of said chapter 92, as so appearing, is hereby further
1498 amended by inserting after the word “sewer”, in line 3, the following words:- or water supply
1499 infrastructure of a town.

1500 SECTION 43. The seventeenth paragraph of section 150A of chapter 111 of the General
1501 Laws, as so appearing, is hereby amended by inserting after the first sentence the following 3
1502 sentences:- Personnel or authorized agents of the department may, at all reasonable times, enter
1503 any premises, public or private, for the purpose of investigating, sampling or inspecting any
1504 records, condition, equipment, practice or property relating to activities subject to this section,
1505 and may, at any time, enter such premises for the purpose of protecting the public health or
1506 safety or to prevent damage to the environment. For the purposes of any entry described in the
1507 preceding sentence, no warrant shall be required; provided, however, that upon demand by the
1508 owner or person in control of such premises, a warrant authorizing such entry and inspection
1509 shall be sought after such demand. Any court, judge or justice authorized to issue warrants in
1510 criminal cases may issue such warrants.

1511 SECTION 44. Section 2B of chapter 128 of the General Laws, as so appearing, is hereby
1512 amended by striking out the last sentence and inserting in place thereof the following 2
1513 sentences:- Whoever violates this section or section 2A, or any rule or regulation made
1514 thereunder, shall be punished by: (i) a fine of not more than \$10,000 or imprisonment for not
1515 more than 2 ½ years, or both; or (ii) a civil administrative penalty issued by the department not to
1516 exceed \$500 per offense; provided, that the total administrative penalties assessed in any given
1517 action under this section shall not exceed \$10,000. Each violation shall constitute a separate
1518 offense, and each day a violation continues shall constitute a separate offense.

1519 SECTION 45. Section 2C of said chapter 128, as so appearing, is hereby amended by
1520 inserting after the word “owner”, in line 12, the following words:- , trainer or driver.

1521 SECTION 46. Said section 2C of said chapter 128, as so appearing, is hereby further
1522 amended by inserting after the word “by”, in line 13, the following words:- , trained by, driven
1523 by.

1524 SECTION 47. Said section 2C of said chapter 128, as so appearing, is hereby further
1525 amended by inserting after the third paragraph the following 3 paragraphs:-

1526 Any owner, trainer or driver of any animal that tests positive for the presence of drugs, as
1527 defined in regulations promulgated by the department, in any other state shall be prohibited from
1528 entering any animal in a drawing contest in the commonwealth for 2 years from the date of any
1529 such drug test; provided, however, that the commissioner may authorize a lesser prohibition of
1530 not less than 1 year for good cause.

1531 Notification from any other state of a positive drug test shall be prima facie evidence that
1532 a drug has been administered and shall result in automatic prohibition from entry in a drawing
1533 contest in the commonwealth without further testing or investigation required by the department.

1534 Any animal participating in a contest conducted under paragraph (f) of section 2 shall
1535 have a radio frequency identification or microchip implant for identification purposes. The pull
1536 superintendent or the assistant pull superintendent at such contest shall verify the animal’s
1537 identification at the time of weigh-in and at the time of entry for the purposes of ensuring the
1538 animal has not tested positive for the presence of drugs in violation of this section.

1539 SECTION 48. Sections 13A and 13B of said chapter 128 are hereby repealed.

1540 SECTION 49. Said chapter 128 is hereby amended by striking out sections 51 to 63,
1541 inclusive, as appearing in the 2024 Official Edition, and inserting in place thereof the following
1542 11 sections:-

1543 Section 51. As used in sections 51 to 61, inclusive, the following words shall, unless the
1544 context clearly requires otherwise, have the following meanings:

1545 “Commercial feed”, all materials or combination of materials which are distributed or
1546 intended for distribution for use as feed or for mixing in feed, unless such materials are
1547 specifically exempted by the department in regulations.

1548 “Customer-formula feed”, commercial feed which consists of a mixture of commercial
1549 feeds or feed ingredients, each batch of which is manufactured according to the specific
1550 instructions of the final purchaser.

1551 “Distribute”, to offer for sale, sell, exchange, barter, supply, furnish or otherwise provide
1552 commercial feed.

1553 “Drug”, any article intended for use in the diagnosis, cure, mitigation, treatment or
1554 prevention of disease in animals other than humans, and articles other than commercial feed
1555 intended to affect the structure or any function of the animal body.

1556 “Feed”, any substance that is intended for use as food for animals other than humans;
1557 provided, that “feed” shall include commercial feed and feed ingredients.

1558 “Forage”, dry hay, grass, legumes, haylage, baleage, corn and silage.

1559 “Label”, a display of written, printed or graphic matter upon or affixed to the container in
1560 which a commercial feed is distributed, or on the invoice or delivery slip with which a
1561 commercial feed is distributed.

1562 “Manufacture”, to grind, mix or blend, or further process a commercial feed for
1563 distribution.

1564 “Official sample”, a sample of commercial feed taken by the department pursuant to
1565 section 59.

1566 “Person”, an individual, partnership, corporation, limited liability company, cooperative,
1567 business trust, business association or entity.

1568 Section 52. (a) No person shall manufacture or distribute commercial feed in the
1569 commonwealth without first obtaining a registration for such feed from the department.

1570 (b) An application for registration of commercial feed shall include:

1571 (i) the name and address of the applicant;

1572 (ii) the name and address of the premises of the applicant’s commercial feed operation;

1573 (iii) a label required pursuant to section 53 or other printed matter including, but not
1574 limited to, handling instructions, precautions and other relevant information, describing the
1575 commercial feed;

1576 (iv) a written consent allowing the department to conduct both scheduled and random
1577 inspections, including, but not limited to: (A) for-cause inspections in response to complaints

1578 made to the department; and (B) inspections of and around the premises on which the
1579 commercial feed is being manufactured or distributed;

1580 (v) a nonrefundable application fee in an amount that shall be established by the
1581 department by regulation; and

1582 (vi) any other information as the department may require by regulation.

1583 (c) Upon approval by the department, a copy of the registration shall be furnished to the
1584 applicant and the applicant shall be required to submit a registration fee in an amount to be
1585 determined by the department by regulation. All registrations shall expire on December 31 of
1586 each year. Failure to submit all required application materials and information required pursuant
1587 to subsection (b) shall result in non-issuance of the registration until such time as all application
1588 requirements have been met to the department's satisfaction.

1589 (d) Persons who have registered a commercial feed pursuant to this section shall notify
1590 the department of any changes in the guarantee of either chemical or ingredient composition of
1591 such feed not less than 30 days prior to the registrant's intended manufacture or distribution of
1592 such feed in the commonwealth. New registration of the commercial feed shall not be required if
1593 the department determines that such change would not result in lowering the feed value of the
1594 commercial feed for the purpose for which it was designed.

1595 (e) The department may refuse the registration of any application not in compliance with
1596 sections 51 to 61, inclusive, or regulations issued thereunder, and may cancel any registration
1597 subsequently found to violate any provision thereof; provided, however, that no application shall
1598 be refused and no registration shall be cancelled without first providing the applicant or
1599 registrant an opportunity to amend the application or otherwise obtain an adjudicatory hearing

1600 pursuant to chapter 30A and the regulations promulgated thereunder concerning the refusal of an
1601 application or cancellation of a registration.

1602 (f) This section and sections 53 to 61, inclusive, shall not apply to a farmer who grows
1603 feed in the commonwealth that consists of forage and who distributes such feed to another
1604 farmer in the commonwealth; provided, however, that such feed shall not: (i) contain any drug;
1605 (ii) be manufactured; and (iii) be customer-formula feed. For purposes of this subsection, the
1606 addition of preservatives when harvesting, cutting, bailing, wrapping or fermenting such feed
1607 shall not be considered manufacturing.

1608 Section 53. (a) A commercial feed manufactured or distributed in the commonwealth
1609 shall be labeled in compliance with this section.

1610 (b) Commercial feed, except a customer-formula feed, shall be accompanied by a label
1611 bearing, at a minimum, the following information:

1612 (i) the quantity of the commercial feed within the package, including, but not limited to,
1613 weight, volume or other applicable methods of measurement;

1614 (ii) the product name and the brand name, if any, under which the commercial feed is
1615 distributed;

1616 (iii) the guaranteed analysis stated in terms as required by the department through
1617 regulations to advise the user of the composition of the commercial feed or to support claims
1618 made in the labeling;

1619 (iv) the ingredient statement, which shall be in terms as required by the department
1620 through regulations, including, but not limited to, the common or usual name of each ingredient

1621 used in the manufacture of the commercial feed; provided, however, that the department, by
1622 regulation, may permit the use of a collective term for a group of ingredients that perform a
1623 similar function; and provided further, that the department may exempt such commercial feeds,
1624 or any group thereof, from the requirement of an ingredient statement if the department finds that
1625 such statement is not required in the interest of consumers;

1626 (v) the name and principal mailing address of the manufacturer or the person responsible
1627 for distributing the commercial feed;

1628 (vi) the use directions or precautionary statements as the department, by regulation,
1629 determines are necessary for the safe and effective use of the commercial feed, including, but not
1630 limited to, adequate directions for use of all commercial feeds containing drugs;

1631 (vii) the date of manufacture, processing, packaging or repackaging or a code that permits
1632 the determination of a date of manufacture; and

1633 (viii) any other information as the department may require by regulation.

1634 (c) A customer-formula feed shall be accompanied by a label, invoice, delivery slip or
1635 other shipping document, bearing, at a minimum, the following information:

1636 (i) the name and address of the manufacturer;

1637 (ii) the name and address of the purchaser;

1638 (iii) the date of delivery;

1639 (iv) the product name and quantity statement of each commercial feed and each other
1640 ingredient used in the mixture;

1641 (v) the use directions and precautionary statements as the department may require by
1642 regulation that are necessary for the safe and effective use of the customer-feed formula,
1643 including, but not limited to, adequate directions for use of all customer-formula feeds
1644 containing drugs;

1645 (vi) a statement on the label that states: “This feed was manufactured according to
1646 specific instructions provided by (name of the person who provided the instructions) and cannot
1647 be sold to any other person.”;

1648 (vii) the date of manufacture, processing, packaging or repackaging or a code that permits
1649 the determination of a date of manufacture; and

1650 (viii) any other information as the department may require by regulation.

1651 Section 54. (a) Except as otherwise provided by regulation, a commercial feed
1652 manufactured or distributed in the commonwealth shall be deemed to be misbranded if:

1653 (i) its labeling is false, deceptive or misleading in any way;

1654 (ii) it is sold or distributed under the name of another commercial feed;

1655 (iii) its labeling does not comply with section 53 or the department’s regulations;

1656 (iv) it purports to be or is represented as a commercial feed but is not a commercial feed,
1657 it purports to contain or is represented as containing a commercial feed ingredient but does not
1658 contain a commercial feed ingredient or the feed ingredient does not conform to the definition of
1659 commercial feed and any regulations promulgated by the department; or

1660 (v) it is otherwise determined by the department to be misbranded pursuant to sections 51
1661 to 61, inclusive, or the department's regulations.

1662 Section 55. Except as otherwise provided by regulation, a commercial feed manufactured
1663 or distributed in the commonwealth shall be deemed to be adulterated if:

1664 (i) it bears or contains any poisonous or deleterious substance that may render it injurious
1665 to human or animal health; provided, however, that if the substance is not an added substance,
1666 such commercial feed shall not be considered adulterated under this subsection if the quantity of
1667 such substance in such commercial feed does not ordinarily render it injurious to human or
1668 animal health;

1669 (ii) it bears or contains any added poisonous, deleterious or non-nutritive substance that is
1670 unsafe within the meaning of section 406 of the federal Food, Drug and Cosmetic Act, 21 U.S.C.
1671 346;

1672 (iii) it is, or it bears or contains, any food additive which is unsafe within the meaning of
1673 section 409 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. 348;

1674 (iv) it is a raw agricultural commodity and bears or contains a pesticide chemical that is
1675 unsafe within the meaning of section 408(a) of the federal Food, Drug and Cosmetic Act, 21
1676 U.S.C. 346a(a);

1677 (v) it is, or it bears or contains, any color additive which is unsafe within the meaning of
1678 section 721 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. 379e;

1679 (vi) it is, or it bears or contains, any new animal drug that is unsafe within the meaning of
1680 section 512 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. 360b;

1681 (vii) it consists, in whole or in part, of any filthy, putrid or decomposed substance, or is
1682 otherwise unfit for feed;

1683 (viii) it has been prepared, packed or held under unsanitary conditions whereby it may
1684 have become contaminated with filth, or whereby it may have been rendered harmful to health;

1685 (ix) it is, in whole or in part, the product of a diseased animal or of an animal that has
1686 died other than by slaughter, which is unsafe within the meaning of section 402(a)(1) or (2) of
1687 the federal Food, Drug and Cosmetic Act, 21 U.S.C. 342(a)(1)-(2);

1688 (x) its composition or quality falls below or differs from that which it is purported or is
1689 represented to possess by its labeling;

1690 (xi) it contains a drug and the methods used in, or the facilities or controls used for, its
1691 manufacture, processing or packaging do not conform to good manufacturing practices and
1692 standards established in regulations promulgated by the department to assure that the drug meets
1693 the requirements of sections 51 to 61, inclusive, as to safety and has the identity and strength and
1694 meets the quality and purity characteristics which it purports or is represented to possess;

1695 (xii) it is manufactured or distributed or used as commercial feed in a manner that does
1696 not conform with, or contains any substance that is prohibited by, any regulations as may be
1697 promulgated by the department under sections 51 to 61, inclusive; or

1698 (xiii) it is otherwise determined by the department to be adulterated pursuant to sections
1699 51 to 61, inclusive, or associated regulations.

1700 Section 56. It shall be unlawful to perform or cause to be performed the following acts:

1701 (i) the adulteration or misbranding of any commercial feed;

1702 (ii) the manufacture or distribution of any commercial feed that is adulterated or
1703 misbranded;

1704 (iii) the knowing use of any feed that is adulterated for any cattle, sheep, goats, swine,
1705 poultry or any other animals if such animals are raised to produce human food;

1706 (iv) the removal or disposal of a commercial feed in violation of section 60 or department
1707 regulations;

1708 (v) the failure or refusal to register a commercial feed in accordance with section 52 or
1709 department regulations prior to manufacturing or distributing commercial feed;

1710 (vi) the failure to maintain any records required by sections 51 to 61, inclusive, or
1711 department regulations;

1712 (vii) the impediment, obstruction or hindering by any person of the department in the
1713 discharge of the authority or duties conferred or imposed by any provisions of sections 51 to 61,
1714 inclusive, or department regulations;

1715 (viii) any sale, offer or exposure for sale of any commercial feed or mixture thereof by
1716 any person in violation of any regulation promulgated under sections 51 to 61, inclusive;

1717 (ix) the failure to comply with any other provision of sections 51 to 61, inclusive, or
1718 department regulations and not otherwise specified in this section; or

1719 (x) such other acts as may be determined by the department by regulation to violate
1720 sections 51 to 61, inclusive.

1721 Section 57. (a) The department may promulgate regulations, consistent with the
1722 requirements in chapter 30A, for commercial feeds as authorized in sections 51 to 61, inclusive.

1723 (b) The department may cooperate and enter into agreements with other agencies and
1724 departments, other states and the federal government to effectuate the purpose and provisions of
1725 sections 51 to 61, inclusive.

1726 (c) The department may, as necessary and by regulation, adopt and enforce federal
1727 standards concerning commercial feed.

1728 Section 58. (a) For the purpose of enforcement of sections 51 to 61, inclusive, and in
1729 determining compliance with sections 51 to 61, inclusive, officers or employees duly designated
1730 by the department, upon presenting appropriate credentials, may:

1731 (i) enter, during normal business hours, any building, structure, land, vehicle or other
1732 premises, public or private, within the commonwealth, in or on which commercial feeds are
1733 manufactured, processed, packed, distributed, transported, stored, disposed of, used or held for
1734 distribution, or to enter any vehicle being used to transport or hold such feeds; and

1735 (ii) inspect at reasonable times, within reasonable limits and in a reasonable manner,
1736 including, but not limited to, scheduled visits, random visits or for-cause visits made in response
1737 to a complaint of alleged violation received by the department, such premises, property or
1738 vehicle and all pertinent equipment, finished and unfinished materials, containers and labeling
1739 therein; provided, that the inspection may include, but shall not be limited to, obtaining samples
1740 and the verification of records and production and control procedures related to the manufacture,
1741 distribution, storage, handling, use or disposal of commercial feed as may be necessary to
1742 determine compliance with sections 51 to 61, inclusive.

1743 (b) The department may promulgate regulations to effectuate this section, including, but
1744 not limited to, regulations that define notice requirements prior to inspection, official sampling
1745 and analysis procedures, recordkeeping requirements and any other requirements determined by
1746 the department to be necessary.

1747 (c) If the owner or owner's agent of any building, structure, land, vehicle or other
1748 premises or property described in subsection (a) refuses to admit the department to enter or
1749 inspect in accordance with subsection (a), the department may obtain from the court for the
1750 district or county in which such building, structure, land, vehicle or other premises or property is
1751 located an administrative warrant to enter and inspect such building, structure, land, vehicle or
1752 other premises or property and to obtain samples of such feeds, feed ingredients or raw
1753 agricultural commodities in accordance with section 59, prior to entry, inspection and sampling.
1754 The district and superior courts may issue warrants upon a proper showing of the need for such
1755 entry, inspection and sampling.

1756 Section 59. (a) The department may obtain official samples of all commercial feeds
1757 manufactured or distributed in the commonwealth. Samples may be obtained during inspections
1758 pursuant to section 58 and any regulations as may be promulgated thereunder by the department
1759 and may be analyzed by the department to determine compliance with sections 51 to 61,
1760 inclusive, and the department's regulations.

1761 (b) The department shall forward the results of all analyses of official samples to the
1762 person named on the label and to the purchaser. When the inspection and analysis of an official
1763 sample indicates a commercial feed has been adulterated or misbranded, and upon request within
1764 a time period to be established by the department by regulation following the receipt of the

1765 analysis, the department may furnish to the manufacturer a portion of the sample concerned. The
1766 department, in determining whether a commercial feed is deficient in any component, shall be
1767 guided by the official sample obtained and analyzed pursuant to this section.

1768 Section 60. (a) The department shall enforce sections 51 to 61, inclusive.

1769 (b) The department shall take all reasonable actions to ensure that no commercial feed in
1770 violation of sections 51 to 56, inclusive, sections 58 and 59 and department regulations, enters
1771 commerce in the commonwealth, including, but not limited to, orders for stop sale, quarantine,
1772 detainment, withdrawal from distribution, condemnation, confiscation, destruction or any other
1773 actions as may be determined by the department.

1774 (c) Whoever violates any provision of sections 51 to 61, inclusive, or hinders the carrying
1775 out of any part thereof or, after receipt of a written request from the department, unreasonably
1776 refuses or neglects to comply with any order or regulation lawfully made under this section, may
1777 be subject to a civil administrative penalty issued by the department. The notice of assessment of
1778 civil administrative penalty shall include, but shall not be limited to, the amount of the penalty,
1779 the date the penalty shall be due, a statement of the alleged violator's right to an adjudicatory
1780 hearing pursuant to this section and chapter 30A regarding the assessment, and the manner of
1781 acceptable payment if an election to waive a hearing is made. A person shall be deemed to have
1782 waived all rights to an adjudicatory hearing unless, within 21 days of the date of the
1783 department's notice, the person files a written notice, by hand or by certified mail, return receipt
1784 requested, requesting such adjudicatory hearing. In the event that such request is not received in
1785 accordance with this section, the proposed civil administrative penalty shall become final, and
1786 payment shall be due in accordance with the notice.

1787 (d) Without alleging or proving the lack of other adequate remedies at law, and
1788 notwithstanding the existence of any other remedies at law, the attorney general may apply for a
1789 temporary or permanent injunction to restrain any violation of sections 51 to 61, inclusive, or
1790 department regulations.

1791 (e) The remedies provided in this section shall be available in addition to, and without
1792 limiting, any other penalties provided by law or equity, in this chapter or elsewhere. The district
1793 and superior courts shall have concurrent jurisdiction to enforce sections 51 to 61, inclusive and
1794 restrain violations thereof. Enforcement actions brought under this section and appeals thereof
1795 shall conform to the applicable provisions of chapter 30A and informal hearing regulations
1796 promulgated thereunder.

1797 Section 61. Annually, the department shall publish, in such forms as the department may
1798 deem proper, information concerning the sales of commercial feeds, together with such data on
1799 their production, composition and use as the department may consider advisable, and a report of
1800 the results of the analyses of official samples of commercial feeds sold within the commonwealth
1801 as compared with the analyses guaranteed in the registration and on the label; provided, that any
1802 information concerning production and use of commercial feed shall not disclose the operations
1803 of any person.

1804 SECTION 50. Said chapter 128 is hereby further amended by adding the following
1805 section:-

1806 Section 125. (a) The supreme judicial court or any justice thereof, and the superior court
1807 or any justice thereof, shall have jurisdiction in equity to enforce this chapter and regulations

1808 promulgated thereunder. Proceedings to enforce this chapter and regulations promulgated
1809 thereunder may be instituted and prosecuted by the attorney general.

1810 (b) The remedies provided under this section shall be available in addition to, and without
1811 limiting, any other penalties provided by law or equity, in this chapter or elsewhere.

1812 (c) The commissioner may issue orders necessary to enforce this chapter and to restrain
1813 violations thereof. Such orders shall be effective pending resolution of any appeal, unless
1814 otherwise ordered by a court of competent jurisdiction.

1815 SECTION 51. Chapter 131 of the General Laws is hereby amended by inserting after
1816 section 6 the following section:-

1817 Section 6A. (a) The director shall consider land under the care and control of the division
1818 for potential designation and long-term passive management as a forest reserve and shall
1819 recommend designation of land as a forest reserve; provided, that such designation shall: (i)
1820 contribute to carbon sequestration and storage as part of the commonwealth's climate mitigation
1821 strategy; (ii) allow for unique older forest habitats to mature and develop over time without
1822 intended intervention in ecological processes as part of a holistic, statewide, biodiversity
1823 conservation strategy; (iii) enhance climate resilience through the maintenance of connected
1824 natural landscape blocks and species movement corridors that provide a variety of important
1825 ecosystem processes, functions and services; (iv) provide unique opportunities for compatible
1826 passive outdoor recreation and other public enjoyment to serve a diverse public with wide-
1827 ranging recreational values; and (v) facilitate ecological research, comparative studies of forest
1828 dynamics and long-term monitoring to evaluate reserves as compared to other land management
1829 approaches.

1830 (b) The director, with the approval of a majority of the members of the fisheries and
1831 wildlife board present at a duly called meeting of the board, may designate land under the care
1832 and control of the division as a forest reserve. Forest reserves shall be managed consistent with
1833 such designation unless the director, with the approval of not less than a two-thirds majority of
1834 the members of the fisheries and wildlife board present at a duly called meeting of the board, and
1835 with the approval of the secretary of energy and environmental affairs, rescinds the designation.

1836 (c) Designation of land as a forest reserve, or the rescission thereof, shall constitute an
1837 administrative designation and shall not: (i) change the entity with respect to the care, custody
1838 and control of the land; (ii) constitute a change in the use of the land; (iii) otherwise dispose of
1839 land or an interest in land; or (iv) otherwise change the existing status of the land as a wildlife
1840 management area or other land management unit.

1841 (d) The department, to the greatest degree possible, shall passively manage forest
1842 reserves to allow natural processes to determine changes in the structure and composition of the
1843 forest ecosystem. Forest reserves shall not be: (i) managed for production of timber or forest
1844 products; or (ii) intentionally manipulated. Any active management shall be avoided, to the
1845 extent feasible, even when disturbances occur. After consultation with a forest reserve science
1846 and technical advisory committee to be administered by the secretary of energy and
1847 environmental affairs, the division may undertake active management or assisted restoration
1848 actions to: (i) sustain ecosystem function, vital ecosystem services and habitat values; (ii) control
1849 problematic pests, pathogens and invasive species; (iii) restore water and wetland resources; (iv)
1850 protect public safety; or (v) address other unforeseen circumstances. The division may undertake
1851 such other management actions as may be required by law.

1852 (e) The following shall be permitted within the forest reserves: (i) compatible passive
1853 outdoor recreation; (ii) regulated hunting and trapping; (iii) conversion or removal of plantations;
1854 (iv) maintenance or repair of existing forest roads, trails and administrative access points; (v)
1855 preservation of historic and cultural resources; (vi) removal of immediate threats to public safety;
1856 (vii) selective understory invasive plant control; and (viii) monitoring and research activities.

1857 SECTION 52. The first paragraph of section 40 of said chapter 131, as appearing in the
1858 2024 Official Edition, is hereby amended by striking out the second to fifth sentences, inclusive,
1859 and inserting in place thereof the following 4 sentences:- Said notice shall be filed by delivery in
1860 hand to the conservation commission or its authorized representative or by certified mail, return
1861 receipt requested, to said commission, or, if none, to the select board or board of selectmen in a
1862 town or the mayor of a city in which the proposed activity is to be located, or by electronic
1863 delivery to the conservation commission, or, if none, to the select board, board of selectmen or
1864 mayor, as specified in regulations promulgated by the department of environmental protection.
1865 Upon such filing, the receipt of such notice shall be acknowledged in writing and shall include
1866 the time and date so received. A person delivering said notice by hand shall be given a receipt in
1867 writing acknowledging the time and date of such filing. Copies of such notice shall be sent
1868 concurrently by electronic delivery to the department of environmental protection.

1869 SECTION 53. Said section 40 of said chapter 131, as so appearing, is hereby further
1870 amended by striking out, in line 74, the figure “1,000” and inserting in place thereof the
1871 following figure:- 100.

1872 SECTION 54. Said section 40 of said chapter 131, as so appearing, is hereby further
1873 amended by striking out the third paragraph and inserting in place thereof the following 2
1874 paragraphs:-

1875 Within 21 days of the receipt by a conservation commission of a written request made by
1876 any person by a method of delivery as specified in regulations, said commission shall make a
1877 written determination as to whether this section is applicable to any land or work thereon. When
1878 such person is other than the owner, notice of any such determination shall also be sent to the
1879 owner. As specified by the department in regulations, certain activities may be approved by
1880 determinations with conditions, and without the filing of a notice of intention if the conditions
1881 ensure that the activities will have negligible or minor wetlands impacts. Temporary impacts
1882 may also be approved with a determination with conditions; provided, that the wetlands shall be
1883 fully restored as specified by the department in regulations. Violation of a condition of a
1884 determination of applicability shall be a violation of this section.

1885 The department may designate by regulation types of proposed work that have
1886 insignificant wetlands impacts and may be approved by the conservation agent or conservation
1887 commission chair or by the department in writing and without a notice of intention or
1888 determination and without a public hearing. Such approval may include, but shall not be limited
1889 to, any conditions necessary to further the interests of this section. A copy of the approval shall
1890 be sent to the department at the same time it is sent to the applicant, and the department shall
1891 have 7 days from receipt to revoke the approval.

1892 SECTION 55. Said section 40 of said chapter 131, as so appearing, is hereby further
1893 amended by striking out the seventeenth to nineteenth paragraphs, inclusive, and inserting in
1894 place thereof the following 3 paragraphs:-

1895 The conservation commission, select board, board of selectmen or mayor receiving notice
1896 under this section shall hold a public hearing on the proposed activity within 21 days of the
1897 receipt of said notice. Notice of the time and place of said hearing shall be given by the hearing
1898 authority at the expense of the applicant, not less than 5 days prior to such hearing, or another
1899 period of time specified in department regulations, by publication in a newspaper of general
1900 circulation in the city or town where the activity is proposed, or by notice on the city or town
1901 website or other means, as specified in regulations promulgated by the department, and by
1902 mailing a notice to the applicant and to the board of health and the planning board of said city or
1903 town. The conservation commission and its agents, officers and employees and the commissioner
1904 of environmental protection and their agents and employees, may enter upon privately owned
1905 land for the purpose of performing their duties under this section. No conditions shall be
1906 imposed, nor shall any determination be rendered by a conservation commission, in reference to
1907 this section, unless the conservation commission meets with a quorum present. The department
1908 may provide by regulation that certain activities that require a notice of intention may not require
1909 a public hearing but shall require public notice.

1910 If, after said hearing or after deliberation of the conservation commission, select board,
1911 board of selectmen or mayor, on the notice of intent where no hearing is required, the
1912 conservation commission, select board, board of selectmen or mayor, as the case may be,
1913 determines that the area on which the proposed work is to be done is significant to: (i) public or
1914 private water supply; (ii) the groundwater supply; (iii) flood control; (iv) storm damage

1915 prevention; (v) prevention of pollution; (vi) protection of land containing shellfish; (vii) the
1916 protection of wildlife habitat; (viii) the protection of fisheries; (ix) resilience for changing
1917 climate conditions; or (x) the protection of the riverfront area consistent with the following
1918 purposes, to: (A) protect the private or public water supply; (B) protect the ground water; (C)
1919 provide flood control; (D) prevent storm damage; (E) prevent pollution; (F) protect land
1920 containing shellfish; (G) protect wildlife habitat; (H) protect the fisheries; or (I) resilience for
1921 changing climate conditions, such conservation commission, select board, board of selectmen or
1922 mayor shall, by written order, within 21 days of such hearing, or within 21 days from publication
1923 of the notice if no hearing is required, impose such conditions as will contribute to the protection
1924 of the interests described herein, and all work shall be done in accordance therewith. If the
1925 conservation commission, select board, board of selectmen or mayor, as the case may be,
1926 determines that the proposed activity does not require the imposition of such conditions, the
1927 applicant shall be notified of such determination within 21 days after said hearing, or within 21
1928 days from publication of the notice if no hearing is required. Such order or notification shall be
1929 signed by the mayor or a majority of the conservation commission or select board or board of
1930 selectmen, as the case may be, and a copy thereof shall be sent forthwith to the applicant and to
1931 the department. The department may designate, by regulation, types of proposed work,
1932 including, but not limited to: (i) certain nature-based solutions projects, as defined in section 62E
1933 of chapter 30, ecological restoration, or wetlands resilience projects; or (ii) priority housing
1934 projects, as defined in section 62E of chapter 30, consistent with commonwealth land use
1935 planning and housing strategies and plans, climate resilient design guidelines and environmental
1936 priorities, that may be approved with a general order of conditions; provided, that the proposed
1937 project does not result in impacts to areas subject to jurisdiction that are greater than those

1938 specified by the department in regulations. For linear shaped projects where work is proposed in
1939 3 or more adjacent municipalities, the applicant shall submit a notice of intent, request for
1940 determination or other request, specified by the department in regulations, directly to the
1941 department for review and decision. Prior to issuing a decision, the department shall provide the
1942 conservation commissions in these municipalities with an opportunity to comment on the notice
1943 or request.

1944 If a conservation commission has failed to hold a hearing within the 21-day period as
1945 required; or if a commission, after holding such a hearing has failed within 21 days therefrom to
1946 issue an order; or if no hearing is required and a commission has failed within the 21 day period
1947 to issue an order; or if a commission, upon a written request by any person to determine whether
1948 this section is applicable to any work, fails within 21 days to make said determination; or where
1949 an order does issue from said commission, the applicant, any person aggrieved by said
1950 commission's order or failure to act, or any owner of land abutting the land upon which the
1951 proposed work is to be done, or any 10 residents of the city or town in which said land is located,
1952 may, by certified mail or electronic filing, as specified in regulations, and within 10 days from
1953 said commission's order or failure to act, request the department of environmental protection to
1954 determine whether the area on which the proposed work is to be done is significant to: (i) public
1955 or private water supply; (ii) the groundwater supply; (iii) flood control; (iv) storm damage
1956 prevention; (v) prevention of pollution; (vi) protection of land containing shellfish; (vii) the
1957 protection of wildlife habitat; (viii) the protection of fisheries; (ix) resilience for changing
1958 climate conditions; or (x) the protection of the riverfront area consistent with the following
1959 purposes, to: (A) protect the private or public water supply; (B) protect the ground water; (C)
1960 provide flood control; (D) prevent storm damage; (E) prevent pollution; (F) protect land

1961 containing shellfish; (G) protect wildlife habitat; (H) protect the fisheries; or (I) resilience for
1962 changing climate conditions. The commissioner of environmental protection or a designee may
1963 request such a determination within said 10 days. The party making any such request shall at the
1964 same time send a copy thereof by certified mail to the conservation commission, select board,
1965 board of selectmen or mayor that conducted the hearing hereunder. If the party making the
1966 request is not the applicant, a copy of such request shall also be sent, at the same time and by
1967 certified mail, to the applicant. Upon receipt of such request the department shall make the
1968 determination requested and shall, by written order, issued within 70 days of receipt of such
1969 request, and signed by the commissioner or their designee, impose such conditions as will
1970 contribute to the protection of the interests described herein; provided, however, that said
1971 department shall notify the applicant within 30 days of the receipt of such request if the
1972 application or request is not in proper form or is lacking information or documentation necessary
1973 to make the determination. Such order shall supersede the prior order of the conservation
1974 commission, select board, board of selectmen or mayor, and all work shall be done in accordance
1975 therewith, but in no event shall any work commence until 10 days have elapsed following the
1976 issuance of said order. In the case of riverfront areas, no order issued by a conservation
1977 commission, select board, board of selectmen, mayor or the department shall permit any work
1978 unless the applicant, in addition to meeting the otherwise applicable requirements of this section,
1979 has proved by a preponderance of the evidence that: (i) such work, including proposed mitigation
1980 measures, has no significant adverse impact on the riverfront area for the following purposes, to:
1981 (A) protect the private or public water supply; (B) protect the ground water; (C) provide flood
1982 control; (D) prevent storm damage; (E) prevent pollution; (F) protect land containing shellfish;
1983 (G) protect wildlife habitat; (H) protect the fisheries; and (I) resilience for changing climate

1984 conditions; and (ii) there is no practicable and substantially equivalent economic alternative to
1985 the proposed project with less adverse effects on such purposes. An alternative is practicable and
1986 substantially economically equivalent if it is available and capable of being done after
1987 considering: (i) costs, and whether such costs are reasonable or prohibitive to the owner; (ii)
1988 existing technology; (iii) the proposed use; and (iv) logistics in light of the overall project
1989 purposes. For activities associated with access for 1 dwelling unit, the area under consideration
1990 for practicable alternatives shall be limited to the lot; provided, that said lot shall be on file with
1991 the registry of deeds as of August 1, 1996. For other activities including, but not limited to, the
1992 creation of a real estate subdivision, the area under consideration shall be the subdivided lots,
1993 any parcel out of which the lots were created and any other parcels that are adjacent to such
1994 parcel or adjacent through other parcels formerly or presently owned by the same owner at any
1995 time on or after August 1, 1996 or any land which can reasonably be obtained; provided, that an
1996 ownership interest can reasonably be obtained after taking into consideration: (i) cost, and
1997 whether such cost is reasonable or prohibitive to the owner; (ii) existing technology; (iii) the
1998 proposed use; and (iv) logistics in light of the overall project purposes. At any time prior to a
1999 final order of determination by the department, any party requesting a determination may, in
2000 writing, withdraw the request, and such withdrawal shall be effective upon receipt by the
2001 department. Notwithstanding the withdrawal, the commissioner or their designee may continue
2002 the determination if they notify all parties within 10 days of receipt of the withdrawal. A copy of
2003 such order shall be sent to the applicant, to the conservation commission, select board, board of
2004 selectmen or mayor which conducted the hearing hereunder. As used in this section, the term
2005 “wildlife habitat” shall mean those areas subject to this section which, due to their plant
2006 community composition and structure, hydrologic regime or other characteristics, provide

2007 important food, shelter, migratory or overwintering areas, or breeding areas for wildlife. The
2008 department may provide, by regulation, that specified provisions of this paragraph shall not
2009 apply to notices of intent or requests for determination for certain types of proposed work,
2010 including, but not limited to, certain nature-based solutions projects, as defined in section 62E of
2011 chapter 30, ecological restoration, or wetlands resilience projects, or for work in the buffer zone
2012 as defined by the department by regulation, or for priority housing projects, as defined in section
2013 62E of chapter 30, consistent with commonwealth land use planning and housing strategies and
2014 plans, climate resilient design guidelines and environmental priorities. The department may also
2015 provide by regulation that such notices of intent or requests for determination may not be the
2016 subject of a request for a superseding order of conditions or applicability or a request for an
2017 adjudicatory hearing in accordance with the provisions of chapter 30A; and that any person
2018 aggrieved by the issuance or failure to issue a decision on such notice of intent or request for
2019 determination may obtain judicial review by filing an application for review in the superior court
2020 within 21 days after receipt of an order of conditions or a determination from the conservation
2021 commission, or within 21 days of the conservation commission's failure to act. Notwithstanding
2022 the provisions of the previous sentence, the department may, in its regulations regarding such
2023 notices of intent or requests for determination, provide that within 10 days of the conservation
2024 commission's action or failure to act, the department may notify the applicant and the
2025 commission that it will be issuing a superseding order of conditions or determination, which it
2026 shall issue within 70 days of making such notification. Such superseding order or determination
2027 may be the subject of a request for adjudicatory hearing in accordance with the provisions of
2028 chapter 30A.

2029 SECTION 56. Section 34 of chapter 132 of the General Laws is hereby repealed.

2030 SECTION 57. Section 7 of chapter 132A of the General Laws is hereby repealed.

2031 SECTION 58. Section 7A of said chapter 132A, as appearing in the 2024 Official
2032 Edition, is hereby amended by striking out, in lines 1 and 2, the words “environmental
2033 management, division of forest and parks,” and inserting in place thereof the following words:-
2034 conservation and recreation.

2035 SECTION 59. Said section 7A of said chapter 132A, as so appearing, is hereby further
2036 amended by striking out the second to fifth paragraphs, inclusive.

2037 SECTION 60. Said section 7A of said chapter 132A, as so appearing, is hereby further
2038 amended by adding the following paragraph:-

2039 The chief park ranger and park rangers appointed and employed by the department may
2040 assist the bureau of fire control in both suppression and detection of fires.

2041 SECTION 61. Section 93 of chapter 143 of the General Laws, as so appearing, is hereby
2042 amended by striking out, in line 6, the figure “15” and inserting in place thereof the following
2043 figure:- 17.

2044 SECTION 62. Said section 93 of said chapter 143, as so appearing, is hereby further
2045 amended by striking out, in line 10, the figure “12” and inserting in place thereof the following
2046 figure:- 14.

2047 SECTION 63. Said section 93 of said chapter 143, as so appearing, is hereby further
2048 amended by striking out, in line 21, the words “advanced building technology” and inserting in
2049 place thereof the following words:- climate risk, 1 of whom shall be an expert in climate resilient
2050 design, 1 of whom shall be an expert in the development of housing.

2051 SECTION 64. Section 95 of said chapter 143, as so appearing, is hereby amended by
2052 adding the following subsection:-

2053 (d) Ensuring building regulations and requirements address climate impacts for the
2054 purposes of reducing exposure and damage to structures and protecting the health, safety and
2055 security of the occupants or users of buildings.

2056 SECTION 65. Section 168 of chapter 175 of the General Laws, as so appearing, is hereby
2057 amended by inserting after the word “commonwealth”, in line 146, the following words:- ;
2058 provided, however, that annually, not later than December 1, at the discretion of the secretary of
2059 administration and finance, the comptroller shall transfer to the Resilience Revolving Fund
2060 pursuant to section 2 of chapter 29E an amount up to the difference between the amount of such
2061 fees collected in the prior fiscal year and the amount of such fees collected in fiscal year 2027.

2062 SECTION 66. Chapter 183 of the General Laws is hereby amended by adding the
2063 following section:-

2064 Section 70. (a) For the purposes of this section, the term “residential real property” shall,
2065 unless the context clearly requires otherwise, mean real property zoned residential or multifamily
2066 residential with 4 or fewer dwelling units and used or occupied, or intended to be used or
2067 occupied, wholly or partly, as the home or residence of 1 or more persons, condominium units or
2068 cooperative apartments; provided, however, that “residential real property” shall not include
2069 unimproved real property upon which such dwellings are to be constructed.

2070 (b) The secretary of energy and environmental affairs, in consultation with the secretary
2071 of housing and livable communities, shall issue standard notification forms and other materials to
2072 inform each prospective purchaser and tenant about the flood risks of residential real property.

2073 The forms and materials may include, but shall not be limited to: (i) information on whether the
2074 residential real property is located in a floodplain; (ii) documentation of historical flooding and
2075 past damages on the property, including, but not limited to, claims filed and grants or disaster
2076 assistance received for flood damage or flood mitigation; and (iii) details about any flood
2077 insurance or elevation certificates for the property.

2078 (c) Licensed real estate brokers with an online marketing platform shall include
2079 information on their online marketing platform about the flood risks, if any, associated with each
2080 listed residential real property. The information shall include, but shall not be limited to, whether
2081 the property is located in a floodplain and other information available to disclose to prospective
2082 purchasers and tenants regarding potential flood risks.

2083 (d) A person selling residential real property shall, prior to the signing of a purchase and
2084 sale agreement, provide to the prospective purchaser a completed copy of the applicable
2085 notification form and other materials prepared pursuant to subsection (b). Any person leasing
2086 residential real property with an option to purchase such property shall, prior to the signing of the
2087 lease with an option to purchase, provide to the lessee-prospective purchaser a completed copy
2088 of the applicable notification form and other materials prepared pursuant to subsection (b).

2089 (e)(1) All persons leasing or renting residential real property shall, prior to entering into
2090 an agreement to lease or rent such property, notify prospective tenants about the hazards of flood
2091 risk as provided herein.

2092 (2) A residential lease shall contain the following notice to tenants: "Flood insurance is
2093 generally available to renters through the Federal Emergency Management Agency's (FEMA's)
2094 National Flood Insurance Program (NFIP) to cover your personal property and contents in the

2095 event of a flood. A standard renter’s insurance policy does not typically cover flood damage.
2096 You are encouraged to examine your policy to determine whether you are covered.”.

2097 (3) Prior to entering into a tenancy agreement, the owner of residential real property or
2098 such other person to whom rent is to be regularly paid, shall provide a prospective tenant with:
2099 (i) a completed copy of the applicable notification form and other materials prepared pursuant to
2100 subsection (b); and (ii) 2 copies of a statement certifying that the prospective tenant received all
2101 of the above materials, a copy of which shall be retained by both the tenant and the owner;
2102 provided, that such certification may be included as a provision in a written tenancy agreement.

2103 (f) An owner who fails to comply with this section, including, but not limited to,
2104 providing knowingly false or incomplete disclosures, shall be liable for damages caused by the
2105 failure to comply. A violation of this section by a person engaged in trade or commerce shall be
2106 an unfair and deceptive act or practice pursuant to section 2 of chapter 93A.

2107 SECTION 67. Section 32 of chapter 184 of the General Laws, as appearing in the 2024
2108 Official Edition, is hereby amended by striking out, in lines 23 and 24, 33 and 34 and 80, the
2109 words “metropolitan district commission” and inserting in place thereof the following words:-
2110 department of conservation and recreation.

2111 SECTION 68. Said section 32 of said chapter 184, as so appearing, is hereby further
2112 amended by adding the following paragraph:-

2113 The secretary of energy and environmental affairs, the commissioner of the department of
2114 conservation and recreation, the commissioner of food and agriculture and the secretary of
2115 housing and livable communities may each, when unavailable to approve or certify a restriction,

2116 authorize in writing a designee to approve restrictions on that official's behalf; a restriction
2117 approved and certified by such designee shall have the benefit of this section.

2118 SECTION 69. Section 7 of chapter 330 of the acts of 1983 is hereby repealed.

2119 SECTION 70. The first paragraph of section 177 of chapter 25 of the acts of 2009 is
2120 hereby amended by inserting after the word "Boston", the third time it appears, the following
2121 words:- , Charles River Dam road in the cities of Boston and Cambridge, a segment of route 16
2122 and Revere Beach parkway, including Wellington circle, from its intersection with interstate 93
2123 and route 38 in the city of Medford to its intersection with route 145 and route 1A in the city of
2124 Revere, the Fellsway from Wellington circle to its intersection with interstate 93 in the cities of
2125 Medford and Somerville, Mystic avenue in the city of Somerville, Medford Veteran's Memorial
2126 Highway in the cities of Medford and Somerville and the Lynnway in the city of Lynn.

2127 SECTION 71. (a) There shall be a special commission on flood risk mitigation and
2128 resilience in the Connecticut river valley. The commission shall consist of the following 21
2129 members: the secretary of energy and environmental affairs or their designee, who shall be chair;
2130 the director of the Massachusetts emergency management agency or their designee; the executive
2131 director of the Franklin regional council of governments or their designee; the executive director
2132 of the Pioneer Valley planning commission or their designee; the chairs of the joint committee
2133 on environment and natural resources; and 15 members appointed by the governor, 6 of whom
2134 shall be representatives of municipalities within the Connecticut river watershed, 2 of whom
2135 shall be representatives of regional water and sewer utilities, 1 of whom shall be a representative
2136 of a watershed organization, 1 of whom shall be a representative of the agriculture sector, 1 of
2137 whom shall be a representative from an environmental justice organization, 1 of whom shall be a

2138 representative from a land trust, 1 of whom shall be a representative from a labor organization
2139 and 2 of whom shall be representatives of regional higher education institutions.

2140 (b) The commission shall prepare a plan that identifies and prioritizes regional resilience
2141 projects that reduce flood risk in the Connecticut river valley through 2050. Said plan shall
2142 include, but shall not be limited to: (i) a summary of applicable municipal vulnerability
2143 preparedness plans; (ii) identification of structural and non-structural regional resilience projects
2144 that would reduce flood risk to critical infrastructure, vulnerable populations, the economy and
2145 natural resources; (iii) an implementation plan, including, but not limited to, project costs,
2146 timelines and responsible entities; (iv) recommendations for local planning and policy actions to
2147 align with regional and state goals; and (v) a strategy for engaging disadvantaged and priority
2148 populations.

2149 (c) The commission shall consult with the department of conservation and recreation, the
2150 department of agricultural resources, the department of environmental protection and the
2151 Massachusetts Department of Transportation.

2152 (d) Not later than January 1, 2028, the commission shall file its plan with the clerks of the
2153 house of representatives and the senate, the house and senate committees on ways and means and
2154 the joint committee on environment and natural resources.

2155 SECTION 72. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the
2156 General Laws, section 35 of chapter 92 of the General Laws or any other general or special law
2157 to the contrary, the commissioner of capital asset management and maintenance may, in
2158 consultation with the commissioner of conservation and recreation, transfer Ravine road between
2159 West Wyoming avenue to the town line of the city of Melrose to the city of Melrose for the

2160 purpose of a public way; provided, that the exact boundaries of the parcel to be conveyed shall
2161 be determined by the commissioner of capital asset management and maintenance.

2162 (b) The consideration for the conveyances authorized by this section shall be nominal.

2163 (c) The city of Melrose of any real property disposed of pursuant to this section shall be
2164 responsible for all costs related to the conveyance, which shall include, but shall not be limited
2165 to, appraisals, surveys, plans, recordings and any other expenses, as deemed necessary by the
2166 commissioner.

2167 SECTION 73. Notwithstanding any general or special law to the contrary, not later than
2168 June 30 in fiscal years 2027 and 2028, the Massachusetts water resources authority shall
2169 annually make a payment of \$50,000 to each of the following towns located within the watershed
2170 of the Quabbin reservoir: Belchertown, Hardwick, Ludlow, New Salem, Orange, Pelham,
2171 Petersham, Phillipston, Shutesbury, Ware and Wendell to support the role of these communities
2172 in hosting the Quabbin reservoir.

2173 SECTION 74. Notwithstanding section 30 of chapter 29 of the General Laws, section 65
2174 of chapter 30 of the General Laws, or any other general or special law to the contrary, a portion
2175 of the funds authorized in this act may be used for the costs associated with the purchase of title
2176 insurance and services for title examinations, reports and certifications; provided, however, that
2177 any executive department or state agency expending such funds shall maximize efforts and
2178 utilize all available means to minimize use of capital funds for such purpose.

2179 SECTION 75. Each agency acquiring land or an interest in land under this act may
2180 expend an amount not to exceed 5 per cent of the amount appropriated to that agency for the
2181 purpose of reimbursing nonprofit land conservation organizations or land trusts for reasonable

2182 expenses directly associated with the acquisition of land or interests in land subsequently
2183 conveyed to the commonwealth. Reimbursements shall be made at the discretion of the agency.
2184 The secretary of energy and environmental affairs shall determine, by regulation promulgated
2185 pursuant to chapter 30A of the General Laws, what shall constitute a reasonable expense. If the
2186 commonwealth does not take title to the property through no fault of the nonprofit organization
2187 or the commonwealth, the commonwealth may reimburse the nonprofit organization for
2188 reasonable expenses associated with due diligence. An organization receiving a reimbursement
2189 under this section shall convey the land or interest in land to the agency for an amount not to
2190 exceed the actual purchase price paid by the organization for the land or interest in land in
2191 addition to any reimbursement received under this section.

2192 SECTION 76. (a) There shall be established a special commission to study and report on
2193 how to enable resilient urban coasts in the commonwealth.

2194 (b) The commission shall examine existing statutory and regulatory requirements that
2195 slow or prohibit the permitting and construction of climate resilient projects on public and
2196 private urban coastal properties in the commonwealth, including, but not limited to,
2197 neighborhoods impacted by flood pathways. The commission shall consider cost and time
2198 constraints associated with securing the required permits to protect coastal communities,
2199 properties and infrastructure from flooding and sea level rise. The commission shall review and
2200 reconcile the need to protect coastal communities, properties and infrastructure from flooding
2201 and sea level rise in the context of: (i) economic viability; (ii) human health; (iii) the protection
2202 of infrastructure, homes, businesses, designated port areas, coastal wetlands and marine
2203 ecosystems; and (iv) the costs and benefits associated with any proposed changes to streamline
2204 permitting, including municipal harbor plans. The commission shall create proposals to expedite

2205 and streamline permitting for coastal resilience projects in districts that span across public and
2206 private properties.

2207 (c) The commission shall consist of the following 15 members: the secretary of economic
2208 development or their designee, who shall serve as co-chair, and the secretary of energy and
2209 environmental affairs or their designee, who shall serve as co-chair; the commissioner of
2210 environmental protection or their designee; the chief executive officer of the Massachusetts Port
2211 Authority or their designee; the director of the Seaport Economic Council or their designee; the
2212 director of the Commercial Real Estate Development Association or their designee; the director
2213 of Boston Harbor Now, Inc. or their designee; the director of the Trustees of Reservations or
2214 their designee; the director of the Massachusetts Marine Trades Association or their designee;
2215 the director of A Better City, Inc. or their designee; and 5 members who shall be appointed by
2216 the governor, 2 of whom shall be coastal developers, 1 of whom shall be a watershed
2217 organization and 2 of whom shall be advocates who represent environmental justice
2218 communities. The commission shall be authorized to invite experts from local, state and federal
2219 agencies, including, but not limited to, the United States Army Corps of Engineers and
2220 representatives of the private sector to advise on specific topics identified by the commission.

2221 (d) Not later than June 9, 2027, the commission shall submit a report of its findings,
2222 together with recommendations for any legislation, to the governor, the clerks of the house of
2223 representatives and the senate, the chairs of the joint committee on economic development and
2224 emerging technologies, the chairs of the joint committee on environment and natural resources
2225 and the chairs of the house and senate committees on ways and means concerning: (i) statewide
2226 permitting reforms to enable climate resilience projects on urban coastal properties, including,
2227 but not limited to, district scale projects that create continuous lines of protection and regional

2228 projects that cross municipal boundaries; and (ii) the adoption and alignment of state and local
2229 permitting processes necessary to enable climate resilience projects on urban coastal properties,
2230 including, but not limited to, statutory and regulatory provisions to promote and allow district
2231 scale projects that create continuous lines of defense and regional projects that cross municipal
2232 boundaries.

2233 SECTION 77. Notwithstanding any general or special law to the contrary, the
2234 unexpended and unencumbered balances of the bond-funded authorizations in the following
2235 accounts shall cease to be available for expenditure 180 days after the effective date of this act:
2236 2500-7024, 2850-9951, 2840-8963, 2850-6967, 2820-1420, 2840-7993, 2800-2012, 2800-2013,
2237 2800-2014, 2800-2019, 2820-2011, 2820-2012, 2840-2013, 2840-2014, 2840-2018, 2840-2019,
2238 2840-2023, 2890-2023, 2890-2040, 2800-7013, 2800-7018, 2800-7016, 2800-7011, 2800-7012,
2239 2800-7015, 2800-7017, 2800-7019, 2800-7022, 2800-7097, 2800-7098, 2840-7014, 2840-7017,
2240 2890-7010, 2890-7011, 2810-7872, 2810-8802, 2800-7035, 2800-7031, 2800-7108, 2840-7026,
2241 2840-7027, 6720-1336, 2840-7024, 2890-7035, 2800-7020, 9300-3909, 9300-7909, 9300-7010,
2242 2000-6966, 2000-6967, 2000-6969, 2000-2010, 2000-2011, 2000-2012, 2000-2014, 2000-2015,
2243 2000-2016, 2000-2018, 2000-2019, 2000-2020, 2000-2021, 2000-2022, 2000-2023, 2000-2024,
2244 2000-2025, 2000-2026, 2000-2017, 2000-2035, 2000-2028, 2000-2029, 2000-7013, 2000-7014,
2245 2000-7015, 2000-7016, 2000-7018, 2000-7023, 2000-7024, 2000-7025, 2000-7052, 2000-7054,
2246 2000-7057, 2000-7056, 2000-7051, 2000-7029, 2000-7053, 2000-7070, 2000-7028, 2000-7031,
2247 2000-7055, 2000-7059, 2000-7062, 2000-7063, 2000-7135, 2000-7081, 2240-8820, 2250-8820,
2248 2250-8822, 2200-7991, 2200-2011, 2200-2012, 2200-2013, 2200-2014, 2200-2015, 2200-2016,
2249 2200-2017, 2200-2018, 2200-2019, 2200-7011, 2200-7013, 2200-7017, 2200-7018, 2200-7020,

2250 2200-7025, 2300-2010, 2300-2011, 2300-2012, 2300-2014, 2300-2016, 2300-2017, 2300-7018,
2251 2300-7010, 2300-7011, 2300-7015, 2300-7016, 2300-7020, 2300-7021, 2300-7025

2252 SECTION 78. Notwithstanding any general or special law to the contrary, to meet the
2253 expenditures necessary in carrying out sections 2 to 2D, inclusive, the state treasurer shall, upon
2254 receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to
2255 be specified by the governor from time to time but not exceeding, in the aggregate,
2256 \$2,543,457,500. All bonds issued by the commonwealth, as aforesaid, shall be designated on
2257 their face “An Act to Build Resilience for Massachusetts Communities” and shall be issued for a
2258 maximum term of years, not exceeding 20 years, as the governor may recommend to the general
2259 court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided,
2260 however, that all such bonds shall be payable not later than June 30, 2052. All interest and
2261 payments on account of principal on such obligations shall be payable from the General Fund.
2262 Bonds and interest thereon issued under the authority of this section shall, notwithstanding any
2263 other provision of this act, be general obligations of the commonwealth.

2264 SECTION 79. Notwithstanding any general or special law to the contrary, to meet the
2265 expenditures necessary in carrying out section 2E, the state treasurer shall, upon receipt of a
2266 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
2267 by the governor from time to time but not exceeding, in the aggregate, \$385,000,000. All bonds
2268 issued by the commonwealth, as aforesaid, shall be designated on their face “An Act to Build
2269 Resilience for Massachusetts Communities” and shall be issued for a maximum term of years,
2270 not exceeding 20 years, as the governor may recommend to the general court pursuant to section
2271 3 of Article LXII of the Amendments to the Constitution; provided, however, that all such bonds
2272 shall be payable not later than June 30, 2052. All interest and payments on account of principal

2273 on such obligations shall be payable from the General Fund. Bonds and interest thereon issued
2274 under the authority of this section shall, notwithstanding any other provision of this act, be
2275 general obligations of the commonwealth.

2276 SECTION 80. Notwithstanding any general or special law to the contrary, to meet the
2277 expenditures necessary in carrying out sections 2F to 2G, inclusive, the state treasurer shall, upon
2278 receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to
2279 be specified by the governor from time to time but not exceeding, in the aggregate,
2280 \$150,000,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on their
2281 face “An Act to Build Resilience for Massachusetts Communities” and shall be issued for a
2282 maximum term of years, not exceeding 30 years, as the governor may recommend to the general
2283 court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided,
2284 however, that all such bonds shall be payable not later than June 30, 2062. All interest and
2285 payments on account of principal on such obligations shall be payable from the General Fund.
2286 Bonds and interest thereon issued under the authority of this section shall, notwithstanding any
2287 other provision of this act, be general obligations of the commonwealth.

2288 SECTION 81. Not later than January 1, 2027, the secretary of energy and environmental
2289 affairs, in consultation with the secretary of housing and livable communities and the
2290 commissioner of environmental protection, for the purposes of sections 15, 33 and 55, shall issue
2291 guidelines and identify housing types that are considered priority housing projects.

2292 SECTION 82. Not later than January 1, 2027, the secretary of energy and environmental
2293 affairs, in consultation with the commissioner of environmental protection, shall issue guidelines
2294 necessary pursuant to sections 15, 33 and 55 for nature-based solutions projects.

2295 SECTION 83. Not later than December 1, 2026, the department shall convene the air
2296 quality advisory committee, established in section 11.

2297 SECTION 84. Not later than June 30, 2027, the first report required pursuant to
2298 subsection (d) of section 18B of chapter 21A, inserted by section 11, shall be submitted.

2299 SECTION 85. (a) Not later than January 1, 2027, the secretary of energy and
2300 environmental affairs shall establish standards and guidelines pursuant to section 36.

2301 (b) Not later than January 1, 2027, the department of environmental protection and
2302 executive office of energy and environmental affairs shall propose regulations pursuant to
2303 section 36.

2304 SECTION 86. Section 4 shall take effect on July 1, 2028.

2305 SECTION 87. Sections 8, 16 through 22, inclusive, 38 through 40, inclusive, 44, 49, 56
2306 through 60, inclusive, and 66 shall take effect 90 days after the effective date of this act.

2307 SECTION 88. Sections 14 and 65 shall take effect on July 1, 2026.

2308 SECTION 89. Section 37 shall take effect 10 years after the effective date of this act.