HOUSE . . . . . No. 5518

Text of House document numbered 5510, being House amendments and committee on Bills in the Third Reading changes of the Senate Bill to build resilience for Massachusetts communities (Senate bill No. 3064), as amended by the House on June 17, 2026.

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:–

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

SECTION 2.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation

2800-1123 For the acquisition of land and interests in land by the department of conservation and recreation and for associated costs including planning, study, due diligence, title and appraisal services, site restoration and stewardship including, but not limited to, coastal

land acquisition and securing access to protected coastal lands and lands to provide for the inland movement of coastal habitats; provided, that funds may be used for capital investments related to the stewardship of the land; and provided further, that funds may be used for the restoration and reclamation of acquired land, including demolition of structures, removal of debris, eradication of non-native species and other services essential to these reclamation efforts; provided further, that a tenant who is involved in the stewardship program is responsible for paying real estate taxes to the municipality in which the property is located unless expressly waived by said municipality; provided further, that if a tenant of a property involved in the stewardship program is delinquent for over 90 days on their taxes, or owes a sum greater than $10,000 in back taxes, the department of conservation and recreation shall assume responsibility for paying back taxes to the owed municipality; and provided further, that the department of conservation and recreation shall submit annual reports to the house and senate committees on ways and means as well as each municipality involved in the stewardship program detailing: (i) the number of properties in the program; (ii) progress reports on restoration efforts; and (iii) tax compliance information for all involved properties……...$40,000,000

2800-7024 For a forestry and tree planting program for projects throughout the commonwealth including, but not limited to, the evaluation and planning of forestry and tree planting projects, tree stock, planting and associated costs; provided, that the secretary of energy and environmental affairs shall grant priority to the planting of trees that are in areas: (i) experiencing heat island effects; (ii) underserved with tree cover; (iii) with disadvantaged populations; (iv) affected by severe weather events or insect infestation; (v) where aquifers, recharge areas, wells, reservoirs and other water bodies are located that will improve and protect water quality as part of a natural ecosystem; and (vi) that will further climate change mitigation,

adaptation and resiliency strategies; provided, that the secretary may provide guidance for coordination between municipal and utility stakeholders on incorporating utility gas leaks data into planning for street tree planting projects and for testing street tree pits for methane before planting; and provided further, that funds from this item may be expended to provide grants, technical assistance or other support to landowners to undertake capital projects including, but not limited to, sustainable forest management and long-term conservation practices, to protect the ecological integrity of the commonwealth's forestlands under the Forests as Climate Solutions initiative…….……...$20,000,000

2800-7026 For the: (i) design, construction, maintenance, repair, removal and improvements of state-owned or abandoned dams identified by the office of dam safety, including improvements to the aquatic habitat, inland flood control projects and projects for related facilities and equipment; (ii) design, construction, maintenance, repair or improvement of the department of conservation and recreation's coastal and marine infrastructure and coastal ecological resources including, but not limited to, shore protection, docks, piers, culverts, beaches, dunes and salt marshes; and (iii) navigational and ecological performance of the commonwealth's tidal and nontidal waterways; provided, that the department of conservation and recreation shall give priority to dams and flood control projects that pose the greatest risk to public health or safety, or to the environment; provided further, that the secretary of energy and environmental affairs may provide guidance for planning, prioritizing, selecting and implementing projects in furtherance of the goals of the state hazard mitigation and climate change adaptation plan…….……..$308,100,000

2840-7028 For the study, planning, permitting, design, construction, reconstruction, repair, removal, demolition, improvement, furnishing, equipping or rehabilitating of department

of conservation and recreation properties including, but not limited to, reservations, facilities infrastructure, forests, parks, campgrounds, comfort stations, harbor islands, skating rinks, skate parks, swimming and wading pools, spray parks, golf courses, tennis courts, basketball courts, ball fields, playgrounds, exercise and fitness paths, tracks, other recreational facilities, historic sites, beaches and storage buildings, office buildings, visitor centers, fire towers, maintenance facilities and other park buildings, structures, equipment, including upgrades to information technology equipment to be considered in consultation with the secretary of technology services and security and for the planning, design, acquisition, construction, reconstruction, repair, removal, improvement or rehabilitation of bike paths, greenways, accessible trails, recreational trails and equipment; provided, that the secretary of energy and environmental affairs may provide guidance for planning, prioritizing, selecting and implementing capital projects in furtherance of the goals of climate change mitigation and adaptation consistent with the state hazard mitigation and climate change adaptation plan and in support of disadvantaged populations; provided further, that funds may be expended to support municipal equipment needs for combating wildland and forest fires; provided further, that the department of conservation and recreation may expend funds for technical assistance and grants to public and nonpublic entities in accordance with rules and regulations adopted by the department to implement this item; provided further, that DCR shall conduct a survey of DCR owned land in the Readville section of the City of Boston including but not limited to the DCR owned parcel that borders following streets: Imbaro Road, Neponset Valley Parkway, Norton Street, River Street and Readville Street; provided further, that in expending funds under this item, the commissioner shall prioritize public health and safety and capital to maintain public assets…….……$293,687,500

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

SECTION 2A.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Department of Environmental Protection

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

2200-7027 For capital investments in air, water and land resource protection, climate adaptation and decarbonization and ensuring access to clean water and air including, but not

limited to, energy, climate and environmental projects and programs that optimize and preserve environmental quality and public health and that provide for appropriate protection, restoration, management and best use of air, water and land resources, assets and infrastructure including, but not limited to, upgrades to laboratory equipment, projects related to nonpoint and point sources of water pollution and the wetlands circuit rider program; provided, that funds may be used to provide grants to public and nonpublic entities and tribal governments for the protection and restoration of the commonwealth's environmental resources to invest in efficient and effective mitigation projects and initiatives to restore and preserve the commonwealth's air, climate, energy, water and land resources, assets and infrastructure; and provided further, that the secretary of energy and environmental affairs may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation, resiliency and adaptation……..……..$27,800,000

2200-7028 For the assessment, containment, monitoring, cleanup and closure of existing or closed solid waste facilities causing or threatening to cause pollution pursuant to section 4 of chapter 21H of the General Laws and for capital expenditures associated with composting, recycling and waste reduction programs consistent with the comprehensive statewide master plan for solid waste disposal established pursuant to section 21 of chapter 16 of the General Laws…….……..$28,100,000

2200-7029 For investments in clean water and drinking water infrastructure by the department of environmental protection to address per- and polyfluoroalkyl substance (PFAS) contamination of public water supplies, private wells or imminent hazard conditions pursuant to section 3A of chapter 21E of the General Laws including, but not limited to, planning, construction, replacement, repair or modernization of infrastructure that enhances ground and

surface water resources, ensures the safety of drinking water or protects public health; provided, that funds in this item may be used for response actions that create a capital asset or result in improvements to capital assets including, but not limited to, installing filters or other treatment systems, excavation, covering and fencing contaminated soil and associated planning and design……..…….$120,000,000

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

SECTION 2B.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Department of Fish and Game

2300-0422 For the acquisition of land and interests in land by the department of fish and game and for associated costs including, but not limited to, planning, studies, due diligence, title and appraisal services, site restoration and stewardship; provided, that such lands may be purchased after approval by the commissioner of fish and game; provided further, that funds may be expended on the development and implementation of a capital stewardship program on lands under the care and control of the department of fish and game and its divisions; provided further, that funds may be used for restoration, repair and reclamation of acquired land including, but not

limited to, demolition of structures, removal of debris, eradication of nonnative species and other capital investments essential to the reclamation efforts; and provided further, that projects may be carried out with other public and nonpublic entities including, but not limited to, federal and state agencies, municipalities, nonprofit and conservation organizations, public and private land owners and tribal governments…….…….$53,500,000

2300-7019 For planning, design, engineering, construction, reconstruction, renovation, repair, demolition, acquisition, enhancements, improvements, removal and replacement of the infrastructure, facilities and equipment under the care and control of the department of fish and game and its divisions including, but not limited to, buildings and other structures, education centers, district headquarters, hatchery facilities, offices, storage buildings, shooting ranges, archery facilities, dams, laboratories, equipment, vehicles, vessels and site clearance; provided, that funds may be used to: (i) incorporate energy efficiency and renewable technologies; (ii) decrease energy use and greenhouse gas emissions; (iii) increase climate resiliency; or (iv) enhance accessibility; and provided further, that funds may be used for implementation of projects in furtherance of the statewide hazard mitigation and climate adaptation plan…….…….$15,000,000

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

2300-7031 For ecological restoration capital programs and projects at the department of fish and game's division of ecological restoration; provided, that funds from this item may be

used for river, wetland and watershed restoration and protection including, but not limited to: (i) dam and barrier removal; (ii) streamflow and water quality restoration; (iii) road-stream crossing upgrades; (iv) improving public access, including enhancements to accessibility; (v) restored rivers and wetlands; (vi) and other capital activities that restore biodiversity and support nature-based approaches for adapting to climate change; provided further, that the commissioner of fish and game or the commissioner's designee may enter into cooperative agreements with state and federal agencies, municipalities, non-governmental organizations, regional planning agencies, tribal governments and others; provided further, that funds in this item may be used for the purchase of equipment; provided further, that the commissioner of fish and game may award grants to public and nonpublic entities and tribal governments to carry out this item…….$40,000,000

2300-7032 For the planning, engineering, design, construction, acquisition, development and reconstruction of existing and new coastal and inland access sites identified by the department of fish and game's office of fishing and boating access including, but not limited to, boat launching facilities, commercial fishing facilities, fishermen boat access facilities, car-top boat launching facilities, canoe and kayak access facilities, sport fishing piers and shore fishing areas including, but not limited to, ramps, docks, floats and appurtenant facilities throughout the commonwealth; provided, that funds may be used on enhancements to accessibility, construction of signage and informational kiosks and the implementation of coastal projects developed jointly with the director of the Marine Recreational Fisheries Development Fund established in section 35NN of chapter 10 of the General Laws in consultation with the marine recreational fisheries development panel established in section 17C of chapter 130 of the General Laws….$10,000,000

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

2300-7034 For the planning and implementation of capital projects and programs at the department of fish and game and its divisions in furtherance of Executive Order no. 618 entitled "Biodiversity Conservation in Massachusetts", which shall include but not be limited to a local biodiversity capital grant program to support community-led biodiversity efforts; provided, that the projects and programs may be carried out in cooperation with public and nonpublic entities, tribal governments and other management agencies including, but not limited to, other state agencies, municipalities, regional planning agencies and nonprofit organizations; and provided further, that the department and its divisions may award grants to public and nonpublic entities, tribal governments and other management agencies including, but not limited to municipalities, regional planning agencies and nonprofit organizations, to carry out this item……..……...…..$20,000,000

SECTION 2C.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Office of the Secretary

2000-7067 For improvements and replacements to the infrastructure and holdings of the executive office of energy and environmental affairs and its departments and divisions and for capital assets and improvements to infrastructure and holdings that support the mission of the executive office of energy and environmental affairs; provided, that this may include, but shall not be limited to, buildings, equipment and vehicles; provided further, that investments may support the development and implementation of capital projects that support the integrated state hazard mitigation and climate adaptation plan; provided further, that the secretary of energy and environmental affairs may grant priority to critical actions and strategies identified in the plan; provided further, that the secretary of energy and environmental affairs may provide guidance for the planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate adaptation plan; provided further, that funds may support development of outdoor recreation sites and facilities and infrastructure; provided further, that funds may be awarded to public and nonpublic entities including, but not limited to, tribal governments, municipalities, regional planning agencies and nonprofit organizations, or expended directly by the executive office of energy and environmental affairs and its departments and divisions; provided further, that grant funds may be used for planning, engineering, design, acquisition, permitting, construction, repair and renovation; and provided further, that grants shall be awarded in a manner that promotes accessibility, supports geographic equity and supports disadvantaged populations…….$73,000,000

2000-7068 For a tree planting greening program for projects on publicly-owned land or on private lands with the consent of the owner and subject to appropriate covenants that shall assure the continued presence and effectiveness of the commonwealth’s investment including,

but not limited to, the evaluation and planning of tree greening projects, tree stock and planting and capital maintenance of urban trees; provided, that the secretary shall give priority to the planting of trees in cities and towns with a completed tree management plan; provided further, that funds may be expended to assist cities and towns in the development of a tree management plan; provided further, that such plan shall include, but not be limited to: (i) an assessment of the existing inventory and health of trees in a participating municipality's tree canopy cover and tree planting analysis to determine optimal siting of new trees, following established scientific protocols; (ii) a quantitative assessment of expected benefits from the expansion of the municipality's tree canopy cover on energy consumption, local climatic conditions and climate resilience and public health; (iii) plans to care for existing trees and provide follow-up care following the planting of trees; and (iv) a timeline for completion of specific projects within the plan which includes project prioritization for environmental justice communities as defined by the Executive Office of Energy and Environmental Affairs; and provided further, that funds may be used to provide grants, technical assistance or other support to public and nonpublic entities and tribal governments to fulfill the purposes of this item.....….$10,000,000

2000-7069 To establish within the executive office of energy and environmental affairs a grant and loan program to be run in consultation with the department of energy resources, the Massachusetts clean energy technology center, the Governor's Office of Climate Innovation and Resilience, the executive office of housing and livable communities, the Massachusetts School Building Authority, the executive office of economic development, the Massachusetts Housing Partnership fund board and the Massachusetts Development Finance Agency, and the funds shall be expended for costs associated with the renovation of existing

buildings, including affordable housing as defined by section 38D of chapter 121B of the General Laws, households as defined by said section 38D of said chapter 121B, municipal buildings, including, but not limited to, public schools, and small businesses with Massachusetts State Supplier Diversity Office Certifications, to conduct “Zero Carbon Renovations" so that these buildings shall, to the maximum extent practicable: (i) be highly energy efficient, (ii) use all-electric heating, hot water and cooking technologies; (iii) include on-site renewable energy generating sources; and (iv) be renovated with low-embodied carbon materials; provided, that funds may be expended as necessary for costs associated with the remediation of existing building conditions that must be addressed before a Zero Carbon Renovation can be completed; provided, that such remediations may include but shall not be limited to mitigation of mold, asbestos, insect and animal infestation, lead paint, electric system upgrades to meet current code or facilitate building electrification, accessibility upgrades required for compliance with the Americans with Disabilities Act, and remediation of any structural issues related to accommodating the Zero Carbon Renovation; provided, that said funds shall be available to buildings throughout the commonwealth, while prioritizing affordable housing and low- or moderate-income homes, public schools, municipal buildings, small businesses with Massachusetts State Supplier Diversity Office Certifications and other buildings located in: (1) environmental justice communities, as defined in section 62 of chapter 30 of the General Laws; and (ii) gateway cities; and provided further, that funds shall, to the maximum extent feasible, be allocated and spent through existing programs supporting the aforementioned decarbonization activities……..……..$1,000,000

2000-7078 For the MassTrails program and other capital improvements to the commonwealth’s trails; provided, that funds may be used for the planning, engineering, design,

permitting, construction, repair, technical assistance and improvement of trails and the acquisition of property interests for trail purposes; provided further, that not less than $10,000,000 shall be expended for the design and construction of accessible trails for people with disabilities including, but not limited, to upgrades in accordance with guidelines from the United States Forest Service and the United States Access Board's accessibility standards for federal outdoor developed areas; provided further, that funds may be granted at the discretion of the secretary of energy and environmental affairs to public and nonpublic entities, including municipalities, regional planning agencies and nonprofit organizations, or expended directly by the executive office of energy and environmental affairs and its departments and divisions; provided further, that trails are to be broadly defined to include water, recreational, multi-use, motorized use by recreational and snow vehicles, trails designed to enhance accessibility and may be paved, improved, natural surface or on-road for limited distances when necessary to make key connections; provided further, that any project funded from this item shall be open to the public; provided further, that wherever practicable, property interests acquired shall be permanently conserved such that the trail thereon is permanently accessible to the public but may be subject to long-term leases where necessary to advance trail projects; and provided further, that a match from the funding recipient, which may include in-kind match, may be required at the discretion of the secretary of energy and environmental affairs; and provided further, that funds may be used to construct, repair or improve kayak and canoe launches, including signage of "put-ins", at public rivers, ponds, and lakes under the care and control of the department…….…….$76,000,000

2000-7082 For grant programs related to and investments in: (i) land, soil, water and natural resource conservation, open space preservation and other capital expenditures that

conserve land and natural resources that provide ecosystem services, including clean air and water, watershed remediation, water conservation and other capital investments related to water resource protection and flood prevention; (ii) coastal resource protection including, but not limited to, securing access to protected coastal lands and lands to provide for the inland migration of coastal habitats; (iii) recreation, including the acquisition, development, construction, rehabilitation and improvement of parks and all related facilities in neighborhoods underserved with parks, including assessment and remediation of brownfield sites intended for park use; (iv) environmental equity and wildlife and endangered species protection including, but not limited to, the: (a) local acquisition for natural diversity grant program; (b) parkland acquisition and renovation for communities grant program; (c) tribal land acquisition grant program; (d) healthy soils grant program; (e) woodlands partnership grant program; and (f) conservation partnership grant programs including, but not limited to, programs to support landscape-scale land conservation projects, the drinking water supply protection grant program, grant programs to assist and provide funding to conservation districts and grants to support projects and initiatives that promote carbon sequestration and climate change resiliency through sustainable forestry and salt marsh restoration; (v) capital grants and technical assistance to facilitate the conservation of land by municipalities, tribal governments, land trusts and other conservation organizations; (vi) MassTrails grants and other capital investments to advance trails of all kinds; and (vii) grants and other expenditures to support local, regional and state land use planning and management capabilities to advance smart growth efforts, which shall be pursuant to rules and regulations adopted by the secretary of energy and environmental affairs to effectuate this item; provided, that funds may be used to provide grants to public and nonpublic entities and tribal governments to carry out this item; provided further, that the secretary of

energy and environmental affairs may provide guidance and expend funds for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation consistent with the integrated state hazard mitigation and climate adaptation plan, and in support of disadvantaged populations; provided further, that funds shall be expended for drought preparedness, streamflow monitoring, watershed assessment, water conservation initiatives, environmental monitoring, water supply resilience planning and related activities to protect river ecosystems, wetlands, drinking water resources and aquatic habitat during periods of drought; and provided further, that all projects shall provide appropriate public access as determined by the secretary……..….$120,000,000

2000-7083 For the design, construction, acquisition, reconstruction, rehabilitation, retrofitting, repair or removal of coastal infrastructure and resilience measures including, but not limited to, seawalls, jetties, revetments, retaining walls, port infrastructure, beach nourishment, living shorelines, coastal lands and other nature-based solutions, which shall mean strategies that conserve, restore and employ the natural resources of the commonwealth to enhance climate adaptation, build resilience and support mitigation; provided, that costs payable from this item may include, but shall not be limited to, the costs of engineering and other technical assistance and planning services essential to these projects rendered by the office of coastal zone management in the executive office of energy and environmental affairs, the office of waterways in the department of conservation and recreation and other commonwealth employees or consultants; provided further, that grants and loans may be made to local government units to carry out this item; provided further, that grants may also be awarded to nonpublic entities for approved projects funded herein; provided further, that funds may be used on lands held by

municipal, county, state or federal agencies or other governmental bodies on lands held by nonprofit conservation organizations or on private lands with the consent of the owner and subject to covenants that assure the continued presence and effectiveness of such projects for the expected life of the projects; provided further, that the use of such funds by county and municipal governmental bodies on lands held by nonprofit conservation organizations or on private lands, shall require, in a county, a vote of the county commissioners, in a city having a Plan D or Plan E charter, by a majority vote of all the members of the city council, in a city not having such a charter, by a majority vote of the city council, subject to the charter of that city, and in a town, by a majority vote of the selectboard; provided further, that the secretary of energy and environmental affairs may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan…….……...$250,000,000

2000-7086 For the design, construction, reconstruction, rehabilitation, retrofitting, repair or removal of municipally owned dams, publicly owned dams and other dams for which emergency action or hazard mitigation is required and for inland flood control projects and projects for related facilities and equipment including, but not limited to, seawalls, jetties, revetments, retaining walls, beach nourishment and other nature-based solutions on publicly owned land or related to state or municipal climate change adaptation and preparedness or for which emergency action or hazard mitigation is required; provided, that the secretary of energy and environmental affairs shall give priority to dams and flood control projects that pose the greatest risk to public health or safety or to the environment; provided further, that funds shall be available for a program of planning, permitting and construction of fish ways and other aquatic

habitat improvements, including the removal or breaching of selected dams and impoundments on state-owned land and waterways; provided further, that funds may be used to provide grants to public and charitable organizations to carry out this item; provided further, that funds under this item shall be subject to the provisions of subsection (c) of section 2IIII of chapter 29 of the General Laws; provided further, however, that said subsection (c) of said section 2IIII of said chapter 29 shall not apply to a grant for the design of a dam project and that any grant for the construction, reconstruction, rehabilitation, retrofitting, repair or removal of a dam may be awarded to a public or charitable organization only where such public or charitable organization either: (1) holds a clear and sufficient property interest in the land and structures comprising the project; or (2) holds a letter of support or non-opposition to the project signed by the chief executive officer of the municipality, as defined by section 7 of chapter 4 of the General Laws, in which the project is located; and provided further that the secretary may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan; provided further, that priority consideration may be given to projects supported by the municipality hosting the asset to be repaired or removed and those municipalities that lie within 1 mile of the water's edge of the impoundment; and provided further that the executive office of energy and environmental affairs shall encourage applicants to consult with the municipality hosting the asset to be repaired or removed, including requiring applicants to notify the municipality with details of the project at least 30 days in advance of submitting a funding application……..$93,500,000

2000-7087 For the acquisition of land and interests in land by the executive office of energy and environmental affairs and for associated costs including, but not limited to, planning,

study, due diligence, title and appraisal services, site restoration, monitoring and stewardship including, but not limited to, acquisitions for open space, recreation, conservation, wildlife and endangered species protection and forest land protection and for related costs and activities in support of conservation goals; provided, that not more than $25,000,000 may be used to capitalize the Transfer of Development Rights Revolving Fund established in section 35HHH of chapter 10 of the General Laws; provided further, that funds from this item may be used to develop and implement a capital stewardship program on lands under the care and control of the executive office or its departments and divisions or subject to conservation restrictions or other related interests in land purchased through this item; provided further, that funds may be used for restoration, repair and reclamation of acquired land, including demolition of structures, removal of debris, eradication of nonnative species and other services essential to such reclamation efforts; and provided further, that the secretary of energy and environmental affairs may provide guidance and expend funds for preservation and acquisition of land and interests in land in furtherance of the goals of climate change mitigation and adaptation, consistent with the integrated state hazard mitigation and climate adaptation plan, and in support of disadvantaged populations…….$85,000,000

2000-7088 For the municipal vulnerability preparedness grant program to support and provide technical assistance for the political subdivisions of the commonwealth including, but not limited to, cities, towns, counties and districts, tribal governments, regional planning agencies, nonprofit organizations, or any authority, commission, board or instrumentality thereof, to complete climate-related vulnerability assessments, develop equitable, action-oriented resiliency plans and complete integrated climate change adaptation plans and local hazard mitigation plans and to implement local and regional adaptation solutions identified through such

plans; provided, that such funds may be used on lands held by municipal, state or federal agencies, tribal governments or other governmental bodies, nonprofit organizations or on private lands with the consent of the owner and subject to covenants that shall assure the continued presence and effectiveness of such projects for the expected life of the projects; provided further, that the use of such funds by municipal governmental bodies on lands held by nonprofit organizations or on private lands shall require the vote of a majority of the grantee's legislative body or board of directors or the equivalent thereof; provided further, that funds may be used to develop wastewater facility adaptation plans; provided further, that such funds may be used for the political subdivisions of the commonwealth including, but not limited to, cities, towns, counties and districts, tribal governments, regional planning agencies, nonprofit organization, or any authority, commission, board or instrumentality thereof, to appoint and retain coordinators to advance sustainability, resiliency and climate adaptation; and provided further, that the program may prioritize low income and environmental justice communities……..$315,000,000

2000-7089 For local environmental, recreational, resiliency and preservation projects; provided, that not less than $400,000 shall be expended to the Merrimack River Watershed Council, Inc. for a regional approach to reducing combined sewer overflows and non-point source pollution in the Merrimack River; provided further, that not less than $500,000 shall be expended to the Town of Hingham for coastal resilience along the Hingham Harbor; provided further, that not less than $500,000 shall be expended to the town of Cohasset for the Towns of Cohasset and Scituate to implement restoration projects in the Gulf River Estuary; provided further, that not less than $50,000 shall be expended to the Hull Lifesaving Museum for the installation of a ramp at the Windmill Point Boathouse; provided further, that not less than $40,000 shall be expended to the North and South Rivers Watershed Association for the North

River Commission's enforcement of the North River Protective Order; provided further, that not less than $250,000 shall be expended to the town of Uxbridge for the Kempton Road and East Street water project, including, but not limited to, the design, permitting and construction of a replacement booster pump station and associated infrastructure to address long-standing hydraulic issues, improve water pressure and ensure the delivery of high-quality municipal water to residents; provided further, that not less than $250,000 shall be expended to the town of Uxbridge for the repair, rehabilitation and fortification of the Hecla street bridge over the West river, including the construction of a bridge slab to span the existing stone arch to mitigate structural degradation, address its status as a scour critical structure and restore full weight-bearing capacity for emergency apparatus and public travel; provided further, that not less than $250,000 shall be expended to the town of Bellingham for the design, permitting and construction of flood mitigation and drainage improvements within the Arnold Brook watershed, which shall include, but not be limited to: (i) the replacement of the Lizotte drive culvert with a larger span structure to alleviate hydraulic restrictions; (ii) the extension of the closed drainage system along Dalmor road, Lizotte drive, Newland avenue, Prairie street, Edgewood road and Morin drive; (iii) the expansion of storage capacity and retrofit of the Fox Run basin; and (iv) the creation of a swale between Whitehall way and Fox Run to divert stormwater flow away from residential properties; provided further, that not less than $500,000 shall be expended to The Walden Woods Project for the purchase of a conservation restriction from the town of Concord for a 35-acre municipal site bordering Walden Pond State Reservation; provided further, that not less than $200,000 shall be expended to the town of Shrewsbury to provide for the planning, identification, development and implementation of sustainable pocket parks and public green spaces on school properties and municipal land, incorporating native, low-maintenance and

pollinator-friendly plantings that support climate resilience, biodiversity, environmental education and community recreation and use; provided further, that not less than $7,000,000 shall be expended for the department of conservation and recreation to create a public-private partnership to implement a public marina at the dock located between the Steriti memorial skating rink and the Prince street park on Commercial street in the North End section of the city of Boston; provided further, that not less than $75,000 shall be expended for improvements to the parking area and drainage at the C-5 state police barracks; provided further, that not less than $200,000 shall be expended to purchase and install an emergency communications system in the town of Palmer; provided further, that not less than $250,000 shall be expended to the town of Lanesborough for the Pontoosuc Lake; provided further, that not less than $300,000 shall be expended for infrastructure improvements for the Adirondack Farm in the Southeastern Massachusetts Bioreserve in Fall River; provided further, that not less than $1,000,000 shall be expended to the town of Plymouth for the restoration of Cotton Brook Cranberry Bog; provided further, that not less than $1,000,000 shall be expended to the town of Plymouth for the Water Street/Town Wharf Seawalls; provided further, that not less than $200,000 shall be expended to the town of Cheshire for weed eradication in Cheshire Lake; provided further, that not less than $350,000 shall be expended to the town of Adams for the establishment of an environmental center at Greylock Glen; provided further, that not less than $500,00 shall be expended for tree planting, watering, maintenance, associated activities and improvements in Medford; provided further, that not less than $2,000,000 shall be expended for improvements to establish a resilience hub at the Dorothy T. Hegner Center in Medford; provided further, that not less than $500,000 shall be expended for the cleanup, assessment, remediation or redevelopment of the former Lunt Silversmiths site on Federal Street in the City of Greenfield; provided further, that

not less than $500,000 shall be expended for improvements and development of the Bidwell Property and Rabbit Run in the town of Athol; provided further, that not less than $500,000 shall be expended for improvements and development of the riverside along the Millers River in the Town of Orange; provided further, that not less than $7,500,000 shall be expended to the Pioneer Valley Planning Commission for the communities of Holyoke, Springfield and Chicopee and for the purpose of designing and permitting combined sewer overflow remediation projects in those communities; provided further, that not less than $500,000 shall be expended to the city of Taunton for improvements to the Assawompsett Dam and auxiliary spillway, including embankment regrading, spillway rehabilitation, erosion protection, installation of automated water control systems and related infrastructure improvements to enhance drinking water reliability, reduce flood risk, improve water quality and support aquatic habitat restoration; provided further, that not less than $500,000 shall be expended to construct a water line from the Town of Hull to Georges Island; provided further, that not less than $1,000,000 shall be expended to the Boston Housing Authority to advance retrofit and modernization projects at Pasciucco Apartments in Dorchester; provided further, that not less than $1,000,000 shall be expended on programs to promote urban agriculture and hydroponics; provided further, that not less than $250,000 shall be expended for the removal of hazardous trees in the town of Sutton; provided further, that not less than $2,000,000 shall be expended to the Boston Housing Authority to advance a retrofit project at Commonwealth Development/Fidelis Way and 91-95 Washington Street in Boston; provided further, that not less than $250,000 shall be expended for the removal of hazardous trees in the town of Douglas; provided further, that not less than $400,000 shall be expended to the North and South Rivers Watershed Association for purposes including but not limited to permitting and early phases of construction related to the removal of

the Chandler Pond Dam in the town of Marshfield; provided further, that not less than $250,000 shall be expended to the 300 Committee Land Trust for the design, permitting and construction of environmentally sensitive restrooms at Andrews Grove along the Coonamessett River in the town of Falmouth; provided further, that not less than $500,000 shall be expended for trails providing universal access to the Mystic River shoreline in Blessing of the Bay Park in the city of Somerville; provided further, that not less than $250,000 shall be expended for pedestrian bridge improvements at Torbert MacDonald State Park in the city of Medford; provided further, that not less than $5,000,000 shall be expended to the city of Boston to advance resilience projects in the North End, Downtown and Wharf District neighborhoods in the city of Boston; provided further, that not less than $250,000 shall be expended to the city of Somerville to prepare engineering design and construction bid documents for a new fully signalized intersection and pedestrian crosswalk across State Route 16 at Woods Avenue in the city of Somerville; provided further, that not less than $500,000 shall be expended for the feasibility, design and permitting of the Bourne Rail Trail Shared-Use Path along the Massachusetts Department of Transportation Rail Line Right-of-Way from the existing Shining Sea Bike Path in North Falmouth to the Cape Cod Canal in the town of Bourne; provided further, that not less than $1,000,000 shall be expended to the City of Lawrence for the design , permitting and construction of the Tower Hill Waterfront Park, to provide impactful nature-based solutions, address heat vulnerability and create high-quality recreational amenities for residents; provided further, that not less than $1,000,000 shall be expended to the City of Lawrence to rehabilitate the Lawrence Reservoir to help beautify an underserved section of the city and provide recreational opportunities for residents; provided further, that not less than $25,000 shall be expended for Local Catch 143 to support educational programming for students focused on

locally sourced, sustainable seafood and related learning opportunities; provided further, that not less than $1,000,000 shall be expended for improvements to Alder Brook and the George Aggott Culvert in the Town of Needham; provided further, that not less than $17,000 shall be expended for the Town of Dover to conduct an analysis for the location of the Town's replacement fuel system; provided further, that not less than $1,750,000 shall be expended for resiliency efforts at the Boston Nature Center in the Mattapan neighborhood of the City of Boston; provided further, that not less than $250,000 shall be expended to the city of Revere for the expansion and improvement of Gibson Park, including the redevelopment of the former boatyard property, demolition, site preparation, public open space improvements, shoreline access enhancements and the establishment of a community boating center; provided further, that not less than $500,000 shall be expended by the department of conservation and recreation for a climate resilience, flood mitigation, and dredging feasibility study of the Charles River between the Galen Street Bridge and the Arsenal Street Bridge and said study shall include sediment characterization, hydrologic and hydraulic analysis, environmental review, permitting requirements, engineering assessments, cost estimates, water quality impacts, habitat restoration opportunities and recommendations for dredging and long-term sediment management to improve flood storage capacity, ecological health, climate resilience and public access along the Charles River; provided further, that not less than $2,000,000 shall be expended to the Boston Housing Authority to advance a retrofit project at Pasciucco Apartments in Dorchester; provided further, that not less than $1,000,000 shall be expended to the city of Revere for the planning, engineering, design and development of wastewater conveyance and related infrastructure improvements, including preliminary design and environmental review activities, to support regional wastewater capacity, economic development and redevelopment initiatives; provided

further, that not less than $320,000 shall be expended to the North and South Rivers Watershed Association for the planning, design, permitting and construction of public river access infrastructure, including a dock, boat ramp, parking and related improvements associated with their river center access project in the town of Pembroke; provided further, that not less than $500,000 shall be expended to the city of Chelsea to support environmental justice work; provided further, that not less than $250,000 shall be expended to the city of Chelsea for improvements to the trail system and wetlands ecosystem along Mill Creek; provided further, that not less than $1,000,000 shall be expended to the city of Boston for modernization and energy improvements at Groveland Apartments in Mattapan; provided further, that not less than $10,000,000 shall be expended to the Boston Housing Authority to reduce emissions, improve resiliency and enhance open space at the Doris Bunte Apartments in Roxbury; provided further, that not less than $1,000,000 shall be expended to the Hyde Square Task Force for the reconstruction, modernization and decarbonization of their Blessed Sacrament campus in Jamaica Plain, which may include, but not be limited to, roof replacement, masonry repair and installation of a modern HVAC system; provided further, that not less than $1,000,000 shall be expended to the Boston Housing Authority for urban agriculture and open space improvements at Gallivan Apartments in Mattapan; provided further, that not less than $1,000,000 shall be expended for a retrofit project at Franklin Fields Apartments in Dorchester; provided further, that not less than $2,000,000 shall be expended to the city of Pittsfield to update Wahconah Park's stormwater management system; provided further, that not less than $150,000 shall be expended to the Gladys Allen Brigham Community Center for pre-construction costs of a climate-resilient critical access road to Camp Stevenson-Witawentin; provided further, that not less than $500,000 shall be expended to the city of Winthrop for the renovation, rehabilitation or building of

seawalls within its municipal limits; provided further, that not less than $928,000 shall be expended to the town of Lexington for culvert, outfall and debris management improvements on the Winthrop Road Culvert, John Poulter Road and Vine Brook Road; provided further, that not less than $1,500,000 shall be expended to the city of Chicopee's Department of Public Works for the renovation of municipal parks and recreational facilities; provided further, that not less than $5,000,000 shall be expended to the Boston Children's Museum for climate resiliency and preservation projects; provided further, that not less than $855,000 shall be expended to the city of Chicopee's department of public works for critical maintenance and emergency operations; provided further, that not less than $1,000,000 shall be expended to the city of Chicopee's department of public works to replace, repair and improve sewage pumping stations; provided further, that not less than $4,500,000 shall be expended to the Stone Living Lab to study boulder fields as a coastal resilience approach on the Boston Harbor Islands and Boston waterfront; provided further, that not less than $100,000 shall be expended to the Blackstone Watershed Collaborative for improvements to four access points on the Blackstone River and a feasibility study on access to the river at the Worcester department of conservation and recreation visitor center; provided further, that not less than $2,000,000 shall be expended to the Boston Housing Authority for infrastructure and resiliency at the West Broadway Apartments, Foley Apartments and West 9th Street Apartments in South Boston; provided further, that not less than $10,000,000 shall be expended to the Boston Housing Authority for climate adaptation, resiliency and sustainability investments in the Ausonia Apartments located in the North End neighborhood in the city of Boston; provided further, that not less than $3,500,000 shall be expended to replace, improve and repair docks, piers and moorings on Spectacle Island, Georges Island and Peddocks Island; provided further, that not less than $1,500,000 shall be expended to

Boston Harbor Now, Inc. to develop a climate resilience plan for the Boston Harbor Islands; provided further, that not less than $25,000 shall be expended to Appleton Field Community Garden in the town of Scituate for community gardening, food access, local agriculture education, environmental stewardship and sustainable food production; provided further, that not less than $2,500,000 shall be expended to the city of Boston for improvements to baseball fields as part of the Moakley park renovation project in South Boston; provided further, that not less than $640,000 shall be expended for the removal and remediation of underground fuel lines and storage tanks on Cathleen Stone Island; provided further, that not less than $1,000,000 shall be expended to the Boston Housing Authority for energy improvements at the Bellflower Apartments in Boston; provided further, that not less than $1,000,000 shall be expended to the department of conservation and recreation to improve water quality at Cochituate state park in Natick; provided further, that not less than $5,000,000 shall be expended for resiliency improvements at the Everett Docklands project; provided further, that not less than $500,000 shall be expended to the town of Natick for improvements to its public parks; provided further, that not less than $500,000 shall be expended to the town of Wayland for improvements to its public parks; provided further, that not less than $600,000 shall be expended to the town of Wilbraham to construct a sidewalk on Stony Hill road; provided further, that not less than $190,000 shall be expended to Boston Habor Now, Inc. to create elevation and reliance design standards for the Boston Harborwalk; provided further, that not less than $1,000,000 shall be expended to the Boston Housing Authority for energy and quality improvements at Washington Manor, Hampton House, and Frederick Douglass Apartments in Boston; provided further, that not less than $2,000,000 shall be expended to the Boston Housing Authority for modernization and energy improvements at the Spring Street Apartments; provided further, that not less than

$1,000,000 shall be expended to the city of Worcester for accessibility improvements on Sprague Trail at Broadmeadow Brook Wildlife Sanctuary; provided further, that not less than $2,000,000 shall be expended to the Massachusetts Food Trust program established in section 65 of chapter 23A of the General Laws; provided further, that not less than $549,000 shall be expended to the city of Easthampton for the replacement of its existing pump station at its wastewater treatment plant; provided further, that not less than $2,000,000 shall be expended for the feasibility, design and permitting of a trail along the VFW parkway/ Providence highway corridor from West Roxbury into Dedham; provided further, that not less than $75,000 shall be expended to the city of Easthampton to replace obsolete wastewater treatment pumps; provided further, that not less than $300,000 shall be expended to the city of Easthampton for unsound concrete repairs at its wastewater treatment plant; provided further, that not less than $100,000 shall be expended to the city of Easthampton for a feasibility study of locations for unsound concrete repairs at its wastewater treatment plant; provided further, that not less than $5,000 shall be expended to the town of Scituate for the maintenance, improvement and preservation of the public trail connecting Old Forge road and Pineview drive; provided further, that not less than $600,000 shall be expended to the town of Milton for a multiuse trail at Houghton pond's recreation area within the Blue Hills Reservation; provided further, that not less than $2,000,000 shall be expended to the town of Avon for a sewer project at the Avon Industrial Park; provided further, that not less than $75,000 shall be expended to the town of Wareham for water quality improvements and ecological restoration at Agawam Mill pond; provided further, that not less than $1,000,000 shall be expended to the city of Malden for extreme heat mitigation through shade shelters, hydration and misting stations and the removal of impervious surfaces; provided further, that not less than $200,000 shall be expended to the town of West Newbury for the River

Road Climate Vulnerability and Resiliency project; provided further, that not less than $1,000,000 shall be expended to the city of Lawrence to create the Tower Hill Waterfront park; provided further, that not less than $500,000 shall be expended to the town of Groveland for the Johnson Creek Dam project; provided further, that not less than $200,000 shall be expended to the city of Malden for tree planting and forestry initiatives to provide protections from extreme heat; provided further, that not less than $500,000 shall be expended to the town of Boxford for the replacement of the Pye Brook Culvert; provided further, that not less than $1,000,000 shall be expended to GreenRoots to support public access to the Chelsea Creek waterfront; provided further, that not less than $1,000,000 shall be expended to the city of Melrose for improvements and the restoration of the Ell pond wetlands; provided further, that not less than $1,000,000 shall be expended to the city of Melrose for stormwater management improvements at Franklin Field and abutting Melrose Housing Authority property; provided further, that not less than $650,000 shall be expended to the town of Belchertown to work in collaboration with Kestrel Land Trust, Inc. and other private conservation groups to permanently conserve and increase public recreational access to forested land in the West Quabbin region; provided further, that not less than $410,000 shall be expended to the town of Shutesbury to work in collaboration with Kestrel Land Trust, Inc. and other private conservation groups to permanently conserve and increase public recreational access to forested land in the West Quabbin region; provided further, that not less than $100,000 shall be expended to the town of Pelham to work in collaboration with Kestrel Land Trust, Inc. and other private conservation groups to permanently conserve and increase public recreational access to forested land in the West Quabbin region; provided further, that not less than $750,000 shall be expended to the city of Newburyport for the reconstruction and elevation of the Lower Artichoke Reservoir Dam; provided further, that not less than

$750,000 shall be expended to the town of Merrimac for upgrades to the Merrimack Sewage Treatment Plant; provided further, that not less than $250,000 shall be expended to city of Amesbury for the restoration of the Powwow river between the municipal drinking water intake weir and Lake Gardner; provided further, that not less than $1,000,000 shall be expended to the city of Cambridge for pathway accessibility improvements between Magazine beach and the Anderson Memorial bridge; provided further, that not less than $500,000 shall be expended to the city of Taunton for the implementation of infrastructure improvements at Watson Pond State park; provided further, that not less than $5,000,000 shall be expended to the city of Boston for resiliency efforts at Tenean beach; provided further, that not less than $500,000 shall be expended to the Friends of Sholan Farms, Inc. for improvements at Sholan Farms in the city of Leominster; provided further, that not less than $500,000 shall be expended to the city of Leominster for the repair of flood damage to Slack brook on Exchange street; provided further, that not less than $1,000,000 shall be expended to the Woods Hole Oceanographic Institution for costs associated with coastal resiliency projects within the town of Falmouth; provided further, that not less than $500,000 shall be expended to the town of Nantucket for costs associated with coastal resiliency projects in the areas of Easy street, Washington street, and other areas of critical concern within the town of Nantucket; provided further, that not less than $250,000 shall be expended to the town of West Tisbury for costs associated with improvements to or replacement of the bridge located at State road and Mill brook; provided further, that not less than $100,000 shall be expended to the Norwell conservation commission for the planning, design, construction and establishment of a fish ladder at Jacobs pond in the town of Norwell; provided further, that not less than $500,000 shall be expended to the town of Charlton for wastewater treatment plant improvements; provided further, that not less than $2,000,000 shall

be expended to the city of Quincy for dredging and pre-dredging activities in Quincy bay and beach restoration in the Merrymount section of the city of Quincy; provided further, that not less than $500,000 shall be expended to the town of Dudley for waterline construction and road improvements for PFAS mitigation; provided further, that not less than $1,000,000 shall be expended to the town of Kingston for work associated with the Maple Street dam and culvert; provided further, that not less than $750,000 shall be expended to the town of Nahant for the repair and stabilization of the Willow Road revetment; provided further, that not less than $1,000,000 shall be expended to the city of Lowell for the replacement of the culvert on Stockbridge avenue; provided further, that not less than $1,000,000 shall be expended to the city of Woburn for a constructed wetland, stream and floodplain restoration, and accessible trails at Shaker Glen; provided further, that not less than $180,000 shall be expended to the Centerville, Osterville, Marston's Mills Fire District for PFAS pilot testing; provided further, that not less than $1,000,000 shall be provided to The Home for Little Wanderers, Inc. for the purpose of upgrading safe drinking water infrastructure at its Plymouth campus; provided further, that not less than $2,000,000 shall be expended to the city of Woburn for wetland, stream and floodplain restoration, and accessible trails at Hurld park; provided further, that not less than $500,000 shall be expended to the town of Kingston and the town of Falmouth to support marine-based community-led biodiversity efforts; provided further, that not less than $1,000,000 shall be expended to the city of Fitchburg to install new drainage infrastructure to eliminate combined sewer overflow in the Cleghorn area; provided further, that not less than $250,000 shall be expended to InnSure to conduct an insurability study of manufactured and modular homes in southeastern Massachusetts; provided further, that not less than $500,000 shall be expended to the city of Lowell for Merrimack river embankment erosion repair at the Vandenberg esplanade;

provided further, that not less than $100,000 shall be expended to the town of Kingston for the purpose of acquiring conservation land; provided further, that not less than $25,000 shall be expended to the city of Lowell for the development of a trail connection linking land owned by the city of Lowell in the Pawtucketville section of the city to the Lowell-Dracut-Tyngsboro state forest to expand recreational access and connectivity; provided further, that not less than $1,000,000 shall be expended to the town of Westport for the replacement, repairs, and upgrades to culverts within the town; provided further, that not less than $10,000,000 shall be expended to Courageous Sailing Center for Youth, Inc. for planning, demolition, and reconstruction of Pier 5 in the Charlestown section of the city of Boston; provided further, that not less than $1,000,000 shall be expended to the city of Fitchburg for the restoration of the upper and lower Sand Brook culvert; provided further, that not less than $550,000 shall be expended to the town of Pembroke for the Park street culvert replacement; provided further, that not less than $300,000 shall be expended to the city of Fitchburg to upsize and improve resiliency to the culvert at Coggshall park; provided further, that not less than $250,000 shall be expended to the town of Webster for a whole-lake treatment of invasive aquatic weeds on Lake Chargoggagoggmanchauggagoggchaubunagungamaugg; provided further, that not less than $1,000,000 shall be expended to the department of conservation and recreation for the rehabilitation of the town line Brook Tide Gates to reduce inland flood risk; provided further, that not less than $1,000,000 shall be expended to the town of Saugus for the design and construction of the next phase of the Saugus RiverWalk; provided further, that not less than $1,000,000 shall be expended to the town of Saugus for a Regional Saugus River Floodgate; provided further, that not less than $1,000,000 shall be expended to the city of Boston for the redesign, study, permitting, and engineering of Savin Hill Beach Reservation in the Dorchester

section of Boston; provided further, that not less than $45,000 shall be expended for the town of Chelmsford for a pilot program to assess the potential for reduction of waste generation and disposal tonnage; provided further, that not less than $100,000 shall be expended to the town of Webster for boat washing infrastructure to prevent the spread of invasive aquatic weeds on Lake Chargoggagoggmanchauggagoggchaubunagungamaugg; provided further, that not less than $500,000 shall be appropriated to the town of Lexington for culvert, outfall, and debris management improvements on the Winthrop Road Culvert, John Poulter road, and Vine Brook road; provided further, that not less than $500,000 shall be expended to the town of Lakeville and the town of Somerset for access, building systems, and related upgrades to the River Center at Sweets Knoll State park; provided further, that not less than $1,500,000 shall be expended to the city of Lowell for culvert restoration and drainage infrastructure improvements; provided further, that not less than $1,000,000 shall be expended to the town of Wakefield for the rehabilitation of the Veterans field parking lot; provided further, that not less than $150,000 shall be expended to the town of Wakefield for the installation of solar arrays at municipal buildings; provided further, not less than $2,000,000 shall be expended to Community Boating, Inc. for the building envelope; provided further, that not less than $750,000 shall be expended to the town of Scituate for drinking water source protection; provided further, that not less than $500,000 shall be expended to the town of Freetown for the funding design and phase I implementation of the Long Pond Town Beach park project; provided further, that not less than $100,000 shall be expended to the city of Peabody for water quality testing and monitoring within the parcels of land acquired or to be acquired from Rousselot Peabody Inc., including Cedar pond and Goldthwait brook; provided further, that not less than $25,000 shall be expended to the town of Rehoboth for the remediation, testing and supplies for water systems contaminated by per-and

polyfluoroalkyl substances, as well as the installation and maintenance of filtration systems in residents' homes; provided further, that not less than $750,000 shall be expended to the town of Fairhaven for wastewater treatment plant and pump station rebuilds and refurbishment; provided further, that not less than $750,000 shall be expended to the town of Marion for wastewater pollution control facility capital improvements; provided further, that not less than $75,000 shall be expended to the town of Mattapoisett for environmental assessment, engineering analysis, remediation planning, and related activities associated with the former municipal burn dump site located on Industrial drive; provided further, that not less than $250,000 shall be expended to the town of Rochester for regional costs associated with the prevention, remediation, treatment, management, and control of milfoil and other invasive aquatic vegetation and species; provided further, not less than $50,000 shall be expended to the city of Newton to reduce organic food waste in schools; provided further, that not less than $50,000 shall be expended to the city of Newton for improving water quality along the Cheesecake brook adjacent to the Albemarle fields; provided further, that not less than $250,000 shall be expended to the city of Newton for Riverside Greenway – Pigeon Hill Trail Improvements to restore connectivity; provided further, that not less than $100,000 shall be expended to the city of Newton for improvements to municipal parking lots, including stormwater improvements and ADA compliance; provided further, that not less than $25,000 shall be expended to the town of Seekonk for the remediation of water systems contaminated by PFAS; provided further, that not less than $25,000 shall be expended to the town of Swansea for the remediation, testing and supplies for water systems contaminated by per-and polyfluoroalkyl substances, as well as the installation and maintenance of filtration systems in residents' homes; provided further, that not less than $25,000 shall be expended to the town of Norton for the remediation, testing and supplies for water systems

contaminated by per-and polyfluoroalkyl substances, as well as the installation and maintenance of filtration systems in residents' homes; provided further, that not less than $1,000,000 shall be expended to the city of New Bedford for the acquisition of an 820 metric-ton travel lift to improve and expand shipyard operations to meet the growing demand for shipbuilding, ship repair, and salvaging services; provided further, that not less than $1,000,000 shall be expended to the city of New Bedford for the purposes of creating a 1.5-mile walking path along the western bank of the Acushnet river from Sawyer street to the former Aerovox site, opening public access to portion of the riverfront that has long been cut off by legacy industrial sites; provided further, that not less than $1,000,000 shall be expended for improvements to establish a resilience hub at the Edward G. Connolly Center in the city of Everett; provided further, that not less than $1,000,000 shall be expended for a boardwalk in Gateway park in the city of Everett; provided further, that not less than $750,000 shall be expended for tree planting, watering, and maintenance and associated activities and improvements in the city of Everett; provided further, that not less than $200,000 shall be expended to the town of Brookline for illicit discharge detection and elimination of stormwater flows to the Muddy river; provided further, that not less than $250,000 shall be expended to Piers Park Sailing Center, Inc. for the purpose of purchasing new sonar keelboats to continue to provide free and low-cost access to sailing and marine science education; provided further, that not less than $1,000,000 shall be expended for improvements to seawalls located within the city known as the town of Braintree; provided further, that not less than $500,000 shall be expended to the city known as the town of Braintree for the planning, design, engineering, repair, replacement and rehabilitation of culverts and associated drainage infrastructure to reduce flooding, improve stormwater management, enhance climate resilience, protect public safety and support critical transportation and municipal

infrastructure; provided further, that not less than $1,000,000 shall be expended to the Prince Hall Grand Lodge for removal of oil barrels and property infrastructure stabilization; provided further, that not less than $16,000,000 shall be expended to the city of Boston for resiliency projects in the East Boston neighborhood in the city of Boston, including but not limited to the Border street, Lewis street, and Porzio park projects; provided further, that not less than $300,000 shall be expended for pedestrian improvements and ecological restoration along Greenough boulevard between Gerry's Landing road in the City of Cambridge and Grove street in the city of Watertown; provided further, that not less than $300,000 shall be authorized and expended for surface maintenance and ecological restoration along the Watertown Cambridge greenway in the city of Watertown; provided further, that not less than $1,000,000 shall be expended to the town of Marblehead for the Marblehead Municipal Shipyards Infrastructure Improvements Project; provided further, that not less than $1,000,000 shall be expended for repairs, maintenance, and capital projects including, but not limited to, upgrades to information technology equipment at the department of conservation and recreation Devine Memorial rink in the Dorchester section of the city of Boston; provided further, that not less than $500,000 shall be expended to the town of Swampscott for coastal resilience planning, design, and infrastructure improvements; provided further, that not less than $1,000,000 shall be expended for resiliency projects and infrastructure improvements at Belle Isle Marsh Reservation; provided further, that not less than $750,000 shall be expended to Southcoast Health for stormwater mitigation planning and implementation at St. Luke's Hospital to comply with New Bedford stormwater mitigation processes; provided further, that not less than $1,000,000 shall be expended for resiliency projects and infrastructure improvements at Constitution beach in the East Boston section of the City of Boston; provided further, that not less than $3,000,000 shall be expended

to the city of New Bedford for critical repairs to the Buttonwood Dam for ecological restoration; provided further, that not less than $600,000 shall be expended to the town of Carlisle for the replacement of roof-top HVAC units with all electric air-source heat pumps at the Carlisle public school complex and Carlisle town hall; provided further, that not less than $25,000 shall be expended for the purchase of turnout gear for the fire department in the town of Rehoboth; provided further, that not less than $5,000,000 shall be expended to the Boston Housing Authority to reduce emissions and improve resiliency at the General Warren Apartments located in the Charlestown section of the city of Boston; provided further, that not less than $2,000,000 shall be expended to the New Bedford Redevelopment Authority to acquire underutilized properties and connect nearby neighborhoods to the river; provided further, that not less than $25,000 shall be expended for the purchase of turnout gear for the fire department in the town of Norton; provided further, that not less than $25,000 shall be expended for the purchase of turnout gear for the fire department in the town of Swansea; provided further, that not less than $25,000 shall be expended for the purchase of turnout gear for the fire department in the town of Seekonk; provided further, that not less than $500,000 shall be expended for tree planting, watering, and maintenance and associated activities and improvements in the town of Arlington; provided further, that not less than $1,000,000 shall be expended for coastal access improvements and heat resilient waterfront park space at the Terminal street public boat ramp in the Charlestown section of the City of Boston; provided further, that not less than $2,500,000 shall be expended to enhance and make improvements to the visitor centers on Spectacle Island and Georges Island; provided further that not less than $1,000,000 shall be expended to the city of Boston for improvement to public open spaces at the Little Mystic Channel park in the Charlestown section of the city of Boston; provided further, that not less than $2,500,000 shall be

expended to the Cape Cod Commercial Fisherman's Alliance for research and capital investments to promote resilient coastal shellfish production and distribution at the Aquacultural Research Corporation in Dennis; provided further, that not less than $50,000,000 shall be expended to the Foss New Bedford Marine Terminal for infrastructure, equipment and site work to support offshore wind, clean tech, and other climate-positive maritime industry growth in the south coast region; provided further, that not less than $150,000 shall be expended to the city of Westfield to install a new odor control system at the wastewater treatment facility located on Neck road; provided further, that not less than $250,000 shall be expended to the Charlesgate Alliance for planning, upgrades, and maintenance to open public space and transportation coordination in the Fenway, Kenmore and Back Bay sections of the city of Boston; provided further, that not less than $1,000,000 shall be expended to the city of Lawrence for the planning, design, engineering, permitting, construction, reconstruction, rehabilitation, and modernization of wastewater, stormwater, and drainage infrastructure, including but not limited to combined sewer overflow mitigation projects, sewer separation projects, flood control improvements, stormwater management projects, and associated phases and related infrastructure improvements, in order to reduce combined sewer overflows, improve water quality in the Merrimack River watershed, protect public health, support flood mitigation, enhance climate resilience, and ensure compliance with state and federal clean water requirements; provided further, that such funds may be used for sewer and storm drain separation, drainage system upgrades, flood control measures, green infrastructure, nature-based solutions, construction and rehabilitation of outfalls, replacement of associated water, sewer, and utility infrastructure, roadway and utility restoration, and related infrastructure improvements; provided further, that priority shall be given to projects that reduce or eliminate untreated discharges into the

Merrimack river, the Spicket river, and the Greater Lawrence Sanitary District system; provided further, that not less than $1,000,000 shall be expended for the design, permitting, construction, vegetation management, and maintenance of the Brook Farm historic site in the West Roxbury section of the city of Boston; provided further, that not less than $500,000 shall be expended to the town of Raynham for the replacement of the Pine Street Culvert; provided further, that not less than $500,000 shall be expended to the Town of Bridgewater for water and sewer improvements; provided further, that not less than $200,000 shall be expended toward the installation of an industrial-scale, river source heat pump of no less than 20MW by a district energy system servicing the city of Boston and Cambridge, resulting in a dramatic reduction of greenhouse gas emissions for the Commonwealth; provided further, that not less than $500,000 shall be expended to the city of Worcester for the building of a splash pad at Winslow and Pleasant Peace park; provided further, that not less than $100,000 shall be expended to the town of Raynham for repairs to the Johnson Pond Dam; provided further, that not less than $1,500,000 shall be expended for the environmental cleanup and stabilization of the historic property located at 12 North Main street in the town of Westford; provided further, that not less than $100,000 shall be expended to the city of Worcester for the maintenance of Winslow and Pleasant Peace park; provided further, that not less than $250,000 shall be expended to the town of Pepperell for the upgrade of two culverts to meet state standards; provided further, that not less than $1,000,000 shall be expended to the town of Tewksbury for the replacement of culverts; provided further, that not less than $1,000,000 shall be expended to the town of Wilmington for the replacement of culverts; provided further that not less than $500,000 shall be expended for coastal resiliency and flood mitigation efforts; provided further, that not less than $750,000 shall be expended to the town of Concord for the design and construction of a culvert replacement at

Barrett's Mill road along Spencer brook; provided further, that not less than $100,000 shall be expended for the North and South Rivers Watershed Association to advance planning, design and assessment activities for salt marsh restoration projects in the towns of Scituate and Marshfield, including restoration planning for Green Harbor marshes, Scituate conservation commission properties and the Peggotty Beach/Kent Street marsh system; provided further, that not less than $250,000 shall be expended to the town of Groton for the installation of monitoring wells and other water quality improvements; provided further, that not less than $100,000 shall be expended for design and work to improve the resiliency and sustainability of Argilla road in Ipswich and hydrology and ecological restoration in the Great Marsh; provided further, that not less than $1,000,000 shall be expended for improvements to the Quinsigamond Avenue Water Treatment Center in the city of Worcester for addressing combined sewage overflows; provided further, that not less than $250,000 shall be expended to the Nashua River Watershed Association, Inc. for water quality monitoring and other water quality improvements; provided further, that not less than $1,000,000 shall be expended for the design, construction, reconstruction, rehabilitation and repair of the Bird pond dam in the town of Walpole; provided further, that not less than $1,000,000 shall be expended for the design, construction, renovation and accessibility improvements to the Hawes Pool Spray park and Father McAleer Playground Spray park in the town of Norwood; provided further, that not less than $50,000 shall be expended for water tank improvements and other related costs in the town of Weston; provided further, that not less than $250,000 shall be expended at Willard Brook state park for infrastructure and other improvements; provided further, that not less than $750,000 shall be expended for maintenance and improvements at the Lancaster town beach; provided further, that not less than $750,000 shall be expended for the design and construction of the Clinton rail trail;

provided further, that not less than $750,000 shall be expended for PFAS mitigation in the town of Sterling; provided further, that not less than $750,000 shall be expended to the New England Botanic Garden at Tower Hill for the development of a comprehensive water capture, storage and reuse system; provided further, that not less than $1,250,000 shall be expended to the metropolitan area planning council, in coordination with the North Shore water resilience task force for costs associated with planning, feasibility analyses, environmental review, engineering, design, permitting and construction of water supply and distribution infrastructure improvements in the Ipswich river basin to increase the reliability of public water supplies and the environmental health of the Ipswich river; provided further, that not less than $100,000 shall be expended to the town of Raynham for the development of the South Street East recreational area along the Taunton river; provided further, that not less than $2,000,000 shall be expended to the department of conservation and recreation for public safety improvements, preparedness, operations and infrastructure for ferry service at Squantum Point park; provided further, that not less than $150,000 shall be expended to the town of Newbury for build-out analyses, supply planning and infrastructure needs in town of Newbury and the Byfield water district; provided further, that not less than $100,000 shall be expended to the city known as the town of Bridgewater for the development of the Old State Farm trail and recreation area; provided further, that not less than $150,000 shall be expended to the town of Rowley to mitigate emerging contaminants in the town's water supply, such as iron, manganese and PFAS; provided further, that not less than $150,000 shall be expended to the town of Georgetown to mitigate emerging contaminants in the town's water supply, such as iron, manganese and PFAS; provided further, that not less than $250,000 shall be expended to the town of Ashby for upgrades to the Mason road box culvert; provided further, that not less than $100,000 shall be expended to the

city of Boston for the repair, maintenance and improvement of the historic boathouse located at Jamaica pond; provided further, that not less than $100,000 shall be expended to the city of Boston for a comprehensive assessment of environmental conditions at Jamaica pond and Olmsted park; provided further, that the assessment may include, but shall not be limited to, an analysis of tree loss, erosion, the spreading of invasive plants and an analysis of water quality; provided further, that not less than $50,000 shall be expended to the town of Hamilton for a study of Chebacco lake and its watershed; provided further, that not less than $2,000,000 shall be expended to the city of Haverhill to address the environmental remediation and cleanup of the Stevens street mill fire; provided further, that not less than $100,000 shall be expended for access, safety, signage and facility improvements to Clarke park at Martin's pond in the town of North Reading; provided further, that not less than $1,000,000 shall be expended to the city of Worcester for the remediation of the brownfield site at Bennett field in the city of Worcester for conversion into use as public park land; provided further, that not less than $250,000 shall be expended for facility improvements to Ipswich river park in the town of North Reading; provided further, that not less than $500,000 shall be expended to the town of Leicester for the development and implementation of a comprehensive invasive species management plan within the French river watershed and throughout the town of Leicester; provided further, that not less than $5,000,000 shall be expended to the Boston housing authority for modernization, resiliency and sustainability of the Fairmount housing development located in the Hyde Park neighborhood in the city of Boston; provided further, that not less than $50,000 shall be expended for the Willis Woods Trails Development project in the town of Lynnfield; provided further, that not less than $500,000 shall be expended to the city of Worcester to address heat islands and the mitigation of cyanobacteria in public parks and blue spaces within the Green Island and Main South

neighborhoods of the city of Worcester; provided further, that not less than $250,000 shall be expended to the department of conservation and recreation for improvements to the department of conservation and recreation owned Weirder park in the Roslindale section of the city of Boston; provided further, that not less than $1,000,000 shall be expended to the Muddy river for bridge stabilization; provided further, that not less than $400,000 shall be expended to the town of Lee for final design and permitting of the Lee Housatonic River bike path to expand public access to the Housatonic river and support sustainable transportation, outdoor recreation, environmental stewardship and climate resilience; provided further, that not less than $50,000 shall be expended to the town of Dalton for the purchase and installation of a backup generator at the Dalton senior center, which serves as an emergency shelter and community resilience facility during severe weather events and power outages; provided further, that not less than $250,000 shall be expended to the town of Great Barrington for environmental review, planning, design, permitting and pre-construction costs associated with the rehabilitation of East Sheffield road, a climate-resilient critical access route connecting the towns of Great Barrington and Sheffield; provided further, that not less than $100,000 shall be expended to the city of Boston for the planting of trees and the removal of invasive species at Jamaica pond; provided further that not less than $1,000,000 shall be expended for maintenance and preservation of Webb State Memorial park; provided further, that not less than $1,000,000 shall be expended to the city known as the town of Weymouth for repair and maintenance of the Back river boat ramp for dredging and parking lot facilities; provided further, that not less than $1,000,000 shall be expended for the upgrading and repair of the water treatment plant facilities and components in the city known as the town of Weymouth; provided further, that not less than $1,000,000 shall be expended to the town of Andover for the procurement of electric vehicle charging stations, in an

effort to reduce the town's carbon emissions; provided further, that not less than $250,000 shall be expended to the city known as the town of Weymouth police marine unit; provided further, that not less than $1,000,000 shall be expended for an environmental assessment and clean-up of the site of the new German Gerena school in the city of Springfield; provided further, that not less than $262,000 shall be expended for the Downtown Main Street LED replacement lighting pilot project around HOPE Center for the Arts in the city of Springfield to reduce cost and reduce energy; provided further, that not less than $200,000 shall be expended for the environmental clean-up of the bike path from the North End to the South End of the city of Springfield and for bike path motion solar lighting throughout; provided further, that not less than $1,000,000 shall be expended for an academic medical center in the city of Springfield to assist with capital costs associated with life, safety and environmental improvements related to the acquisition of a community hospital in the city of Springfield; provided further, that eligible costs shall include, but not be limited to, the demolition and mitigation of degraded facilities, the remediation of environmental and hazardous materials and other costs associated with contaminated site improvements; provided further, that not less than $500,000 shall be expended to the division of capital asset management and maintenance for study, design, accessibility improvements and preservation of natural land, recreation areas and waterfront among 166 acres alongside Reservoir pond in the town of Canton for the use of patients and students at Pappas Rehabilitation Hospital for Children and for safe, accessible recreation and rehabilitation activities in a natural setting; provided further, that not less than $1,000,000 shall be expended for the design, permitting and construction of a water main interconnection between the town of Westport and the town of Dartmouth to ensure water supply resiliency and redundancy for the South Coast region; provided further, that said project shall include the installation of necessary

piping and booster stations to facilitate the transfer of potable water between the 2 municipalities; provided further, that not less than $3,000,000 shall be expended for a joint grant program dedicated to the city of Cambridge and the city of Somerville for the design, engineering, permitting and construction of comprehensive sewer separation infrastructure; provided further, that not less than $150,000 shall be expended to the town of Topsfield to mitigate emerging contaminants in the town's water supply; provided further, that not less than $150,000 shall be expended for PFAS remediation along the Ipswich river in the town of Middleton; provided further, that not less than $100,000 shall be expended to the town of Danvers for the creation of pedestrian access to the town of Danvers' waterways and for the assessment of climate impacts on those waterways; provided further, that not less than $250,000 shall be expended to the town of North Andover for the reconstruction of the Mill pond outlet structure; provided further, that such funds shall be utilized exclusively for projects aimed at minimizing and ultimately eliminating combined sewer overflows into the Alewife brook; provided further, that the administering agency shall prioritize expedited review and distribution of these funds to mitigate public health risks and environmental degradation within the Alewife brook watershed; provided further, that not less than $1,000,000 shall be expended to the city of Gloucester for wastewater treatment plant improvements to improve effluent discharge quality; provided further, that not less than $250,000 shall be expended to the town of Townsend for Highland street culvert replacement project; provided further, that not less than $500,000 shall be expended to establish a North Shore water equity conservation and demand management consortium to improve water supply resilience and accommodate growth while protecting natural resources in the Parker, Ipswich and Essex watersheds, whose activities may include, water equity, conservation, feasibility studies for wastewater reuse and other resiliency measures;

provided further, that not less than $150,000 shall be expended to the town of Rockport for the planning, design and construction of repairs to Granite pier; provided further, that not less than $250,000 shall be expended for the restoration and improvements of the Sam Wright field floodplain and wetland restoration area in the town of Easton; provided further, that not less than $850,000 shall be expended to the town of Stoneham for improvements of the Tri-Community Greenway in the town of Stoneham; provided further, that not less than $1,000,000 shall be expended to the city of Beverly for coastal resilience projects at Lynch park, Obear park and along the Bass river; provided further, that not less than $250,000 shall be expended for wetlands conservation and nature education programs at Camp Paradise in the city of Beverly; provided further, that not less than $2,500,000 shall be expended to the town of Freetown for infrastructure projects to provide safe drinking water, address PFAS contamination concerns and protect public health and the environment; provided further, that not less than $2,000,000 shall be expended to the city of Chelsea in coordination with the city of Everett for construction of the Island End River Flood Resilience Project to protect this critical industrial district from catastrophic flooding; provided further, that not less than $100,000 shall be expended to the city of Newton for enhanced water quality and other improvements to Crystal lake in Newton Center; provided further, that not less than $277,285 shall be expended for the modernization of the infrastructure and amenities of Burncoat park in the town of Leicester; provided further, that not less than $250,000 shall be expended for the design, engineering and construction of comprehensive improvements to Rochdale park in the town of Leicester; provided further, that not less than $120,000 shall be expended for a feasibility-level study to evaluate the potential removal of the hazardous Greenville pond dam in the town of Leicester; provided further, that not less than $75,000 shall be expended to the town of Auburn for costs associated with the

treatment, removal and control of invasive aquatic vegetation; provided further, that not less than $50,000 shall be expended for the Northern Middlesex Council of Governments, Corporation to evaluate and assess the feasibility of a Massachusetts Bay Transportation Authority commuter rail stop in North Chelmsford; provided further, that not less than $751,938 shall be expended to the town of Winchester for heating, ventilation and air conditioning upgrades and improvements in Winchester public schools; provided further, that not less than $100,000 shall be expended to OpenCape Corporation for a district municipal network resilience overlay to strengthen communication continuity during storms, outages and other infrastructure disruptions; provided further, that not less than $250,000 shall be expended to the town of Acton for the replacement of the North Main street culvert over Nashoba brook and other related expenses; provided further, that not less than $4,000,000 shall be expended to the city of Worcester to upgrade the Lake avenue sewer pumping station and improve its resiliency; provided further, that not less than $500,000 shall be expended for tree planting, watering and maintenance, and associated activities and improvements in the town of Belmont; provided further, that not less than $125,000 shall be expended to the town of Harvard for the design and construction of the Eldridge road culvert and other related expenses; provided further, that not less than $250,000 shall be expended to the town of Boxborough for the replacement of the Guggins brook culvert at Liberty Square road and other related expenses; provided further, that not less than $50,000 shall be expended for the Massachusetts Department of Transportation to evaluate and assess the feasibility of the installation of sound barriers on the southbound side of route 3, between mile marker 8.0-8.4, in North Chelmsford; provided further, that not less than $250,000 shall be expended to the town of Shirley for the replacement of the Horsepond road culvert and other related expenses; provided further, that not less than $300,000 shall be expended to the town of

Stoneham for improvements to Recreation park in the town of Stoneham; provided further, that not less than $250,000 shall be expended for essential repairs to the eroding Waterfront park seawall and damaged municipal parking lot in the town of Somerset; provided further, that not less than $500,000 shall be expended to the town of Easton for the Easton Industrial Park sewer project; provided further, that not less than $100,000 shall be expended for the implementation of cost-effective measures identified to improve water quality and environmental health in Mill pond in the town of Orleans, including planning, permitting, construction, maintenance and monitoring activities; provided further, that such funds may be used for aquaculture, permeable reactive barriers and other nutrient reduction, wastewater treatment and water quality improvement measures approved by the department of environmental protection as part of a comprehensive wastewater management plan; provided further, that not less than $150,000 shall be expended to the town of Shirley for the replacement of the Walker road culvert, and other related expenses; provided further, that not less than $1,000,000 shall be expended for a dredging program within the executive office of economic development for coastal navigation, port infrastructure, commercial fishing access, coastal resilience and the beneficial reuse of dredged materials; provided further, that funds made available for such program may be expended for grants or contracts with municipalities, port authorities and other eligible public or quasi-public entities for such purposes; provided further, that funds made available for such program may be expended over a period of 5 fiscal years; and provided further, that the executive office of economic development may issue guidelines for the administration of such program consistent with this item; provided further, that not less than $1,000,000 shall be expended to the city of Worcester for the repair and improvement of the water main on Norton drive; provided further, that not less than $600,000 shall be expended to the town of Winchester for the installation of

electric vehicle charging stations for public and municipal use; provided further, that not less than $100,000 shall be expended to the town of Southampton to further its Greenway development; provided further, that not less than $2,000,000 shall be expended to the town of Lanesborough for the construction of a secondary drinking water source; provided further, that not less than $5,000,000 shall be expended to restore the historic turbine halls of the former Edison Power Station located at 776 Summer street in the South Boston section of the city of Boston; provided further, that not less than $1,000,000 shall be expended to the city of Worcester for water main improvements; provided further, that not less than $15,000,000 shall be expended for enhanced coastal adaptation along the Reserve Channel at 776 Summer street in the South Boston section of the city of Boston, including but not limited to seawall replacement, elevated site grades, bioretention areas and open space, and other climate resiliency measures; provided further, that not less than $15,000,000 shall be expended to support the preservation and reuse of Medfield State Hospital for new housing; provided further, that not less than $250,000 shall be expended for stormwater management improvements in the city of Methuen, including at Schruender park, the Bloody Brook area and the Hawkes Brook area; provided further, that not less than $2,000,000 shall be expended for environmental remediation, landscape restoration and facility improvements to the historic Edward F. Searles Estate in the city of Methuen; provided further, that not less than $500,000 shall be expended to the town of West Bridgewater for the construction of a herring fish ladder at War Memorial Park; provided further, that not less than $100,000 shall be expended for the engineering, design, assessment and repair planning deemed necessary by the department of conservation and recreation to support the rehabilitation and eventual replacement of the Scusset Beach State Fishing Pier located within Scusset Beach State Reservation in the town of Sandwich; provided further, that not less than $10,000,000 shall be

expended for the Massachusetts Port Authority for infrastructure investments in emission-reducing ship-to-shore power at Flynn Cruiseport in the South Boston section of the city of Boston; provided further, that not less than $1,000,000 shall be expended for the enabling phase of demolition, utilities and site work for the El Centro Project; provided further, that not less than $250,000 shall be expended for Hydraulic and Hydrologic Model in the city of Salem; provided further, that not less than $100,000 shall be expended to the town of Granby for trail maintenance; provided further, that not less than $100,000 shall be expended to the city known as the town of Amherst for trail maintenance; provided further, that not less than $1,000,000 shall be expended to the University of Massachusetts Amherst Water and Energy Technology Center; provided further, that not less than $1,000,000 shall be expended to the Hitchcock Center for the Environment in the city known as the town of Amherst to support the purchase and use of property to support its mission and programs; provided further, that not less than $500,000 shall be expended to the town of Westborough for environmental, recreational, resiliency and preservation projects, including the replacement of 3 bridges located within the Despres Conservation Area, the Bowman Conservation Area, and the Indian Pond Conservation Area, and other projects; provided further, that not less than $500,000 shall be expended to the town of Northborough for environmental, recreational, resiliency and preservation projects; provided further, that not less than $4,000,000 shall be expended to the town of Granby to support improvements to inland flood control infrastructure including, but not limited to, the Forge Pond Dam; provided further, that not less than $500,000 shall be expended to the town of Southborough for environmental, recreational, resiliency and preservation projects, such as Southville road water main improvements, Atwood Tank Site remediation, Liberty Estates Neighborhood water main replacement, Northborough road culvert replacement project, and

other projects; provided further, that not less than $100,000 shall be expended to the tree warden in the city known as the town of Amherst for costs associated with tree planting and tree support; provided further, that not less than $150,000 shall be expended to the city known as the town of Amherst to support a feasibility study for the creation of a community resilience hub; provided further, that not less than $2,000,000 shall be expended for projects necessary for wastewater connections, transmission and treatment in the vicinity of Littleton Common and Route 119 in the town of Littleton; provided further, that not less than $500,000 shall be expended to the Old Colony Planning Council for culvert assessment in the city of Brockton; provided further, that not less than $500,000 shall be expended to the Old Colony Planning Council for regional resiliency plan; provided further, that not less than $500,000 shall be expended to the Wildlands Trust in partnership with Old Colony Planning Council for improvements to DW Fields Park in the city of Brockton; provided further, that not less than $1,000,000 shall be expended to the city of Worcester for costs associated with the annual seasonal drawdown of Indian Lake conducted for aquatic vegetation management, water quality improvement, sediment management, shoreline maintenance, ecological enhancement, flood resiliency, and the protection of public and private property; provided further, that not less than $1,000,000 shall be expended to the city of Springfield for the city-wide dredging and lake and pond management; provided further, that not less than $250,000 shall be expended for drainage improvements in the town of Holbrook; provided further, that not less than $300,000 shall be expended to the Family Health Center of Worcester for the purposes of upgrading their building energy management system; provided further, that not less than $200,000 shall be expended for Reedy Meadow flood control in conjunction with the town of Lynnfield and the Essex County Mosquito Control Commission; provided further, that not less than $300,000 shall be expended to the town of Ludlow for pond

management; provided further, that not less than $1,300,000 shall be expended to the town of West Boylston for capital improvements to local sewer and wastewater infrastructure; provided further, that not less than $2,000,000 shall be expended to the city of Holyoke for site preparation and environmental cleanup for a sports complex to house the Volleyball Hall of Fame and other local and national sport activities; provided further, that not less than $300,000 shall be expended to complete the permitting and design of the Watertown Dam Removal and Alternatives project to avoid dam failures and public safety hazards, restore river biodiversity, enhance water quality and improve migratory fish passage; provided further, that not less than $250,000 shall be expended for surface and drainage improvements to increase resilience and prevent localized flooding on the Minuteman Commuter Bikeway in East Arlington; provided further, that not less than $1,000,000 shall be expended to the Needham Housing Authority for the Linden Terrace project to support energy efficient and affordable senior housing; provided further, that not less than $300,000 shall be expended for drainage improvements at Norton Circle in Belmont Cemetery in the town of Belmont; provided further, that not less than $15,000 shall be expended to the Keep Framingham Beautiful organization to support community clean-up efforts and environmental justice work; provided further, that not less than $150,000 shall be expended to the Waltham Community Farm and Charles River Community Health, in partnership, for their VegRx Produce Prescription Program for food security and equitable access, connecting health care providers and patients with fresh, locally grown produce; provided further, that not less than $463,500 shall be expended for solar array geothermal system support; provided further, that not less than $200,000 shall be expended for a grant or contract with Barnstable county to support a regional assessment of dredging needs for the Cape Cod region, including consideration of navigation channel maintenance, coastal resilience and opportunities

for dredged material reuse and beneficial reuse; provided further, that said assessment may include recommendations to inform future dredging, coastal infrastructure planning and sediment management strategies, and that the executive office of energy and environmental affairs may make such assessment available to relevant state agencies and stakeholders; provided further, that not less than $500,000 shall be expended for an improvement project for the design and construction of Ryder Brook in Arlington to promote flood prevention and climate resiliency; provided further, that not less than $2,000,000 shall be expended to the city of Worcester for upgrades and replacement of large diameter water mains servicing Chandler street, May street and Mann street; provided further, that not less than $1,000,000 shall be expended for multi-use path, stormwater management and roadway safety improvements on Mystic Valley parkway in the town of Winchester, city of Medford and town of Arlington; provided further, that not less than $200,000 shall be expended for stormwater infrastructure improvements in the Lake Street and Orvis Road neighborhood of Arlington; provided further, that not less than $1,000,000 shall be expended to the city of Worcester for the upgrading of the Eastern Sewer Interceptor; provided further, that not less than $3,000,000 shall be expended for the reconstruction and or demolition of the Hager Pond Dam in Marlborough, to prevent damage to Route 20 and the municipalities of Marlborough and Sudbury; provided further, that not less than $1,000,000 shall be expended to the city of Worcester to support the rehabilitation and improvement of sewer pump stations; provided further, that not less than $100,000 shall be expended to the department of conservation and recreation for planting, maintenance and preservation of trees in Hemlock Gorge Reservation in Newton; provided further, that not less than $500,000 shall be expended to the city of Brockton to install alum treatment at the Monponsett Pond Diversion Station; provided further, that not less than $50,000 shall be expended to the city of Newton to support

food security and infrastructure preservation needs at the Spears Community Garden in at the corner of Washington street and Walnut Park Nonantum; and provided further, that not less than $250,000 shall be expended to the city of Newton for flood mitigation and trail improvements along the Charles River at Quinobequin road……$419,693,723

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

SECTION 2D.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Massachusetts Department of Agricultural Resources

2500-7022 For capital programs designed to address agricultural economic and environmental sustainability and resiliency including, but not limited to, the development and implementation of farm viability plans and other technical and engineering assistance, urban agriculture and hydroponics, and to facilitate improvements to agricultural infrastructure, energy conservation and efficiency and climate change adaptation and resiliency; provided, that funds may be expended for infrastructure and equipment upgrades to prevent or reduce food safety risk, combat invasive and disease-borne insects and for capital programs to support aquaculture, anaerobic digesters and agricultural composters; provided further, that funds may be expended

for capital projects that foster the adoption of sustainable farming practices that enhance resilience, reduce greenhouse gas emissions and promote environmental stewardship; provided further, that funds may be expended on programs that support the commonwealth's farmland protection and access goals; provided further, that funds may be expended to provide grants, technical assistance and other support to farms, public and nonpublic entities and tribal governments to support the agricultural economy and to enable recovery from natural disasters, market disruptions and other financial challenges; and provided further, that funds may be allocated by the commissioner of agricultural resources through competitive grants pursuant to rules and regulations promulgated by the commissioner to implement this item……$26,000,000

2511-0124 For food security grant programs to support equitable access to nutritious, local food and to strengthen food supply and distribution systems; provided, that programs may consider the unique needs of rural and urban areas and gateway municipalities as defined in section 3A of chapter 23A of the General Laws to provide greater access to local food; provided further, that programs may provide grants that support food banks and other parts of the food distribution system by expanding services; and provided further, that funds may be used to provide grants to public and nonpublic entities and tribal governments to carry out this item that may include, but shall not be limited to, farms, retailers, fisheries, food system businesses, food distributors, food processors, food banks, farm stands, food hubs, food retailers, elder services and community-supported agriculture farms…….……..$150,000,000

2511-0125 For a program to acquire land or interests in land for the purpose of preserving agricultural land, including agricultural preservation restrictions under sections 23 to 26, inclusive, of chapter 20 of the General Laws; provided, that funds may be expended for associated acquisition and implementation costs including, but not limited to, grants, planning,

due diligence, title examinations, appraisal services, site restoration and capital improvements on nonpublic lands subject to those agricultural preservation restrictions and on state-owned lands leased for agricultural purposes……...……..$42,000,000

SECTION 2E.

OFFICE OF THE TREASURER AND RECEIVER GENERAL

0640-1008 For the Massachusetts Clean Water Trust established in section 2 of chapter 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund established in section 2L of chapter 29 of the General Laws for application by the trust to the purposes specified in section 5 of said chapter 29C, any portion of which may be used as a matching grant by the commonwealth to federal capitalization grants received under Title VI of the Clean Water Act or for deposit in the Drinking Water Revolving Fund established in section 2QQ of said chapter 29 for application by the trust to the purposes specified in section 18 of said chapter 29C, any portion of which may be used as a matching grant by the commonwealth to federal capitalization grants received under the Safe Drinking Water Act; provided, that funds may be used to assist homeowners in complying with 310 C.M.R. 15.00 for subsurface disposal of sanitary waste; and provided further, that funds may be used to assist with per-and polyfluoroalkyl substances (PFAS) contamination remediation…….$385,000,000

SECTION 2F.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary

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

SECTION 2G.

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

Office of the Secretary

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

7004-4785 For the Massachusetts Housing Finance Agency established in section 3 of chapter 708 of the acts of 1966 to capitalize a permanent, revolving Residential Production Momentum Fund for the purpose of accelerating the development of mixed-income and workforce multifamily housing production projects by providing financial assistance in the form of innovative, low-cost and flexible capital funding, which may be in the form of debt, equity or other instruments, depending on individual underwriting needs of the project; provided, that not less than 20 per cent of the units in a project that receives financial assistance under this item shall be restricted to households with incomes between 60 per cent and 120 per cent, inclusive,

of the area median income; provided further, that notwithstanding paragraph (f) of section 5 of said chapter 708, the agency may in its discretion set the terms and prepayment options for any mortgage or other loan or instrument issued to any project receiving such financial assistance based on the individual underwriting needs of the project; provided further, that such financial assistance shall be awarded in a manner that promotes geographic equity; provided further, that funds expended from this item shall, to the maximum extent feasible, be prioritized for projects that comply with decarbonization and sustainability standards; provided further, that prioritization shall be determined through objective scoring criteria in the qualified allocation plan developed by the executive office of housing and livable communities; provided further, that for new construction projects, the standards set forth in the commonwealth's opt-in specialized energy code under 225 C.M.R. 22.00 and 23.00 and the Enterprise Green Communities standards shall be the applicable standards for prioritization; provided further, that any project proposing less than full compliance with those standards shall provide detailed analysis demonstrating why full compliance would render the project infeasible notwithstanding utilization of all available federal and state incentives, including rebates and tax credits; provided further, that for retrofits of existing units, prioritization shall be given to projects that include energy efficiency and electrification decarbonization measures including, but not limited to, electric or ground source heat pumps, net-zero developments, Passive House Institute certification or an equivalent energy efficiency certification and all-electric buildings and projects that incorporate green, sustainable and climate-resilient elements; and provided further, that projects that include lower embodied carbon construction materials and methods shall be further prioritized……..$50,000,000

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

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

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

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

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

Section 2H. (a) The commissioner of conservation and recreation shall consider land under the care and control of the department for potential designation and long-term passive management as a forest reserve and shall recommend designation of land as a forest reserve; provided, that such designation shall: (i) contribute to carbon sequestration and storage as part of the commonwealth’s climate mitigation strategy; (ii) allow for unique older forest habitats to

mature and develop over time without intended intervention in ecological processes as part of a holistic, statewide biodiversity conservation strategy; (iii) enhance climate resilience through the maintenance of connected natural landscape blocks and species movement corridors that provide a variety of important ecosystem processes, functions and services; (iv) allow unique opportunities for compatible passive outdoor recreation and other public enjoyment to serve a diverse public with wide-ranging recreational values; and (v) facilitate ecological research, comparative studies of forest dynamics and long-term monitoring to evaluate reserves as compared to other land management approaches.

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

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

(d) The department, to the greatest degree possible, shall passively manage the forest reserves to allow natural processes to determine changes in the structure and composition of the

forest ecosystem. Forest reserves shall not be: (i) managed for production of timber or forest products; or (ii) intentionally manipulated. Any active management shall be avoided, to the extent feasible, even when disturbances occur. After consultation with a forest reserve science and technical advisory committee, to be administered by the secretary of energy and environmental affairs, the department may undertake active management or assisted restoration actions to: (A) sustain ecosystem function, vital ecosystem services and habitat values; (B) control problematic pests, pathogens and invasive species; (C) restore water and wetland resources; (D) protect public safety; or (E) address other unforeseen circumstances. The department may undertake such other management actions as may be required by law.

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

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

Section 3H. (a)(1) The commissioner of conservation and recreation may promulgate rules and regulations: (i) for the government and use of all property under the control of the department, including all roads and highways wholly or in part within the boundaries of such property; (ii) relative to hunting and fishing, except in great ponds, not inconsistent with the laws protecting fish, birds, mammals and quadrupeds on all property under the control of the department; (iii) for the government and public use of the Charles river, Mystic river and

Neponset river; provided, that no such rule or regulation shall affect the water rights of any person, whether a mill owner or otherwise; and (iv) for the care, maintenance, protection and policing of the basin as defined in section 2 of chapter 524 of the acts of 1909 and amendments thereto; provided, that no such rule or regulation shall impair freight traffic. Such rules and regulations may provide for the payment of fees and other charges for the parking of vehicles and for the enjoyment of other special privileges within the territory under such control.

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

(3) The commissioner of conservation and recreation may enter into and issue agreements, licenses and permits for recreational and other uses and may grant concessions for the sale of refreshments and other articles and the furnishing of services on department property which the commissioner deems compatible and consistent with this section and Article XCVII of the Amendments to the Constitution of the Commonwealth; provided, however, that such agreements, licenses and permits shall be for periods not exceeding 10 years, and shall be in writing.

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

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

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

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

(e) The department may assess a civil administrative penalty, of not more than $1,000 per day, for the continuing violation of any rule, regulation or order, including, but not limited to, for the use, occupation or alteration of department property without written authorization as required by the department, or for noncompliance with such written authorization. Each day a violation continues shall constitute a separate violation. The remedies provided in this paragraph shall be available in addition to any other penalties or remedies provided by law. The department may adopt and promulgate regulations to effectuate the purposes of this subsection. The penalty pursuant to this subsection shall be assessed in addition to any other civil penalty otherwise provided for by law. Notice of assessment of a penalty pursuant to this subsection shall be made by service in hand, or by certified mail, return receipt requested, and shall state the amount of the administrative penalty, the date the penalty shall be due, a statement of the violator’s right to an

adjudicatory hearing pursuant to chapter 30A regarding the assessment, a statement of the actions the person may take in order to avoid assessment of additional penalties or to avoid waiving the right to a hearing relative to the penalty and the manner of acceptable payment if an election to waive a hearing is made. A person or political subdivision of the commonwealth shall be deemed to have waived all right to an adjudicatory hearing unless, within 21 days of the date of the department's notice, a written notice is received by the department, by hand or by certified mail, return receipt requested, requesting such adjudicatory hearing. In the event that such request is not received in accordance with this section, the proposed administrative penalty shall become final, and payment shall be due in accordance with the notice.

SECTION 8A. Section 43A of said chapter 21, as appearing in the 2024 Official Edition, is hereby amended by inserting after the word "section", in line 1, the following words:- and section 43B.

SECTION 8B. Subsection (g) of said section 43A of said chapter 21, as so appearing, is hereby further amended by striking out, in lines 77 to 96, the first 2 paragraphs and inserting in place thereof the following paragraph:-

(g) The department shall: (i) require permittees to report the volume of discharge from its outfall; (ii) assist permittees with installing accurate metering equipment to measure discharge from its outfall; and (iii) issue public advisories within timeframes established pursuant to subsections (c) and (d).

SECTION 8C. Said chapter 21, as so appearing, is hereby further amended by inserting after section 43A the following section:-

Section 43B. (a) The department, in consultation with the department of public health, shall establish quality assurance project plan standards for the testing of water bodies and waterways for bacteria or other pollutants following a discharge from a permittee's combined sewage overflow outfall.

(b) Subject to appropriation, testing shall be conducted by the department, or its designee, using the department's quality assurance project plan, within a reasonable amount of time after a combined sewage overflow notification as determined by the department based on the time elapsed since the combined sewage overflow and the flow rate of the river. Testing shall be conducted at multiple locations downstream from each combined sewage overflow outfall. Testing may be suspended December through March based on weather conditions as determined by the department.

(c) Annually, not later than November 1, the department shall compile the data from testing for each combined sewage overflow and produce a report. The department, in consultation with the department of public health, shall use the data to create a predictive model for post-combined sewage overflow water quality.

(d) The department shall use the data pursuant to subsection (c) to determine areas with high bacteria content and shall require any permittee with bacteria content over 235 colony forming units per 100 milliliters to develop a combined sewage overflow mitigation plan, which the department shall approve. Permittees developing an approved mitigation plan shall be prioritized in state storm water funding.

SECTION 9. Subsection (b) of section 67 of said chapter 21, as appearing in the 2024 Official Edition, is hereby amended by striking out the third sentence and inserting in place

thereof the following sentence:- The regulations shall be in accordance with generally accepted standards of irrigation practice.

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

SECTION 10A. Section 8 of chapter 21A of the General Laws, as so appearing, is hereby amended by striking out, in line 55, the words “public access board” and inserting in place thereof the following words:- division of fishing and boating access, division of ecological restoration.

SECTION 10B. Said section 8 of said chapter 21A, as so appearing, is hereby further amended by striking out, in line 69, the words “to such rivers, streams and riparian lands” and inserting in place thereof the following words:- as recommended by the division of fishing and boating access.

SECTION 10C. Said chapter 21A is hereby further amended by striking out section 11B, as so appearing, and inserting in place thereof the following section:-

Section 11B. (a) There shall be in the department of fish and game a division of fishing and boating access. The division shall be under the administrative supervision of a director of fishing and boating access. The director shall be appointed and may be removed by the commissioner of the department of fish and game. The director, or a designee, shall serve as the chief engineer of the division of fishing and boating access and the department.

(b)(1) The division may site, design, construct, operate, repair and maintain public access facilities, including, but not limited to, boat launching ramps, car-top boat access areas,

sportfishing piers, shorefishing areas and parking areas, which shall provide public access to great ponds and other waters within the commonwealth for recreational fishing and boating. The public access facilities may be located on lands owned by or in which a federal, state, regional or municipal entity has a property interest with the consent of said entity or on lands owned by or in which the department has a property interest. For public access facilities located on lands under the ownership or control of a public entity other than the department, the division may enter into a land management agreement with the public entity in which the public entity shall assume responsibility for the operation and maintenance of the public access facility and for any other activity agreed to by the division and the public entity. The division may provide safety, rescue, patrol and maintenance equipment to public entities that have responsibilities for law enforcement or management of public lands.

(2) The division may provide engineering, construction and technical services to the division of fisheries and wildlife, the division of marine fisheries, and the division of ecological restoration within the department of fish and game.

(c) The division may promulgate regulations governing the use of public access facilities pursuant to this section and the related land and water resources, violation of which may be punished by a fine of not more than $100 and which may be enforced by any employee of the commonwealth, or of a city or town, having police powers.

SECTION 10D. Said chapter 21A is hereby further amended by inserting after section 11B the following section:-

Section 11B 1/2. There shall be a division of ecological restoration in the department of fish and game. The division shall be under the administrative supervision of a director of the

division of ecological restoration. The director shall be appointed and may be removed by the commissioner of the department of fish and game. The division shall work with public and non-public entities, including, but not limited to, tribal entities, to protect and restore rivers, wetlands and watersheds for the benefit of people and the environment, including to foster adaptation to climate change. The division may: (i) provide technical assistance and training; (ii) manage river and wetland restoration projects, including, but not limited to, dam removal, culvert upgrades and wetland and salt marsh restoration; (iii) receive grants; (iv) award grants to public and nonpublic entities; (v) contract for services; (vi) enter into agreements with public and non-public entities; and (vii) lead other activities as needed to carry out the purposes of the division.

SECTION 11. Said chapter 21A is hereby further amended by inserting after section 18A the following section:-

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

"Black carbon", fine particles less than or equal to 2.5 micrometers in diameter commonly known as soot.

"Department", the department of environmental protection.

"Eligible buildings", shall include, but shall not be limited to, existing: (i) residential public housing; (ii) residential private multifamily housing with more than 2 tenant-occupied units; (iii) public schools serving students of any age in grades K-12; (iv) private schools serving students of any age in grades K-12; (v) charter schools serving students of any age in grades K-12; (vi) college and university buildings with 1 or more classrooms; (vii) existing commercial

buildings with businesses that have 5 or more full-time employees; and (viii) correctional facilities, including prisons and jails.

"Environmental justice population", as defined in section 62 of chapter 30.

"Fine particulate matter" and "fine particulates", particulate matter less than or equal to 2.5 micrometers in diameter.

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

"Ultrafine particulate matter" and "ultrafine particulates", particulate matter less than or equal to 0.1 micrometers in diameter.

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

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

environmental law or regulatory compliance and 1 of whom shall have a background in community-based or environmental justice organizations.

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

(3) Any vacancy on the air quality advisory committee shall be filled by the appropriate appointing authority not later than 60 days after the vacancy. The governor, attorney general or secretary of energy and environmental affairs may remove an advisory board member who they appointed for cause. Before removal, the advisory committee member shall be provided with a written statement of the reason for removal and an opportunity to be heard.

(d) Every 3 years, on or before June 30, the air quality advisory committee shall file a report with the clerks of the house of representatives and the senate, joint committee on environment and natural resources and the joint committee on public health identifying the likely air pollution hotspots due to high concentrations of traffic- and industry-related air pollution throughout the commonwealth. The advisory committee may make recommendations on areas that would benefit from being equipped with new or expanded air monitors and establish and review the definitions of “air quality” and “air quality target pollutants” that shall include, but shall not be limited to, consideration of criteria pollutants, black carbon and ultrafine particulate

matter. The report shall include, but shall not be limited to: (i) recommendations regarding the installation of air filtration in eligible buildings located within 200 meters of a class 1, class 2 or class 3 roadway, marine terminal, airport or a train station or train yard serving diesel locomotives; (ii) potential incentives for eligible buildings that are schools, private housing and public housing to cover the cost of installing air filtration equipment; and (iii) progress made in other states that may help the commonwealth improve air quality.

SECTION 11A. Chapter 21A of the General Laws is hereby amended by adding the following section:-

Section 32. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Brand", a name, symbol, word or mark that attributes a mattress as the producer of the mattress.

"Consumer", a person, which shall include, but shall not be limited to, individuals, families and business entities, who purchases a mattress for use in the commonwealth.

"Department", the department of environmental protection.

"Discarded mattress", a mattress that has been used and abandoned or discarded within the commonwealth; provided, that "discarded mattress" shall not include a mattress transported from outside the commonwealth to be discarded within the commonwealth.

"Environmentally sound management", includes, but shall not be limited to, the following management practices, implemented in a manner that are designed to protect public health and safety and the environment: (i) keeping detailed documentation of the methods used

to: (A) recycle, reuse or renovate discarded mattresses to the extent feasible, cost-effective and environmentally efficient; and (B) track and document the fate of program mattresses from collection through final disposition; (ii) keeping adequate records; (iii) conducting performance audits and inspections as determined by a stewardship organization; (iv) complying with worker health and safety requirements; and (v) maintaining adequate liability insurance for a stewardship organization and contractors working for the stewardship organization.

"Final disposition", the point beyond which no further processing takes place and a discarded mattress and its components have been recycled, renovated or disposed of.

"Foundation", a ticking-covered structure that is used to support a mattress or sleep surface and that may be constructed of frames, foam, box springs or other materials, used alone or in combination.

"Mattress", a resilient material or combination of materials that is enclosed by a ticking, is used alone or in combination with other products and is intended for sleeping upon or a foundation. "Mattress" shall include, but shall not be limited to, a foundation and a renovated mattress or renovated foundation.

"Mattress" shall not include: (i) an unattached mattress pad or unattached mattress topper, including items with resilient filling, with or without ticking, intended to be used with or on top of a mattress; (ii) a sleeping bag or pillow; (iii) a car bed, crib or bassinet mattress; (iv) juvenile products, including, but not limited to, a carriage, basket, dressing table, stroller, playpen, infant carrier, lounge pad or crib bumper and the pads for those juvenile products; (v) a product containing liquid- and gaseous-filled ticking, including a waterbed and air mattress that does not contain upholstery material between the ticking and the mattress core; and (vi)

upholstered furniture that does not otherwise contain a detachable mattress or that is a fold out sofa bed or futon.

"Person", the United States, the state, a public or private corporation, local government unit, public agency, individual, partnership, association, firm, trust, estate or other legal entity.

"Premium service", a service such as at-home pickup service, including curbside pickup service.

"Producer", any person, irrespective of the selling technique used, including that of remote sale, that: (i) manufactures a mattress that is sold, offered for sale or distributed within the commonwealth; or (ii) is the owner of a trademark or brand under which a mattress is sold, offered for sale or distributed within the commonwealth, whether or not such trademark or brand is registered within the commonwealth; and (iii) unless covered by (i) or (ii), imports a mattress into the United States that is sold or offered for sale within the commonwealth.

"Program mattress", a discarded mattress that a stewardship organization shall provide environmentally sound management for under a mattress stewardship program; provided, that "program mattress" shall not include a mattress transported from outside the commonwealth to be discarded within the commonwealth or a mattress rendered unrecyclable by solid waste collection methods.

"Recycler", a person that recycles discarded mattresses.

"Recycling", any process in which discarded mattresses and components may lose their original identity or form as they are dismantled and their materials transformed into new, usable or marketable materials.

"Renovate", to alter a discarded mattress for resale through adding to or replacing the ticking or filling, adding additional filling or replacing components; provided, that "renovate" shall not include: (i) stripping a discarded mattress of the ticking or filling without adding new material; (ii) the sanitization or sterilization of a discarded mattress without other alteration to the discarded mattress; (iii) recycling; or (iv) refurbishing that disqualifies a mattress for a red wholesale renovator tag to be affixed to the mattress, in accordance with the regulations adopted by the department.

"Retailer", a person that offers new, used or renovated mattresses for retail sale.

"Sale" or "sell", any transfer of title for consideration, including remote sales conducted through sales outlets, catalogues or the internet or any other similar electronic means; provided, that "sale" or "sell" shall not include a donation.

"Stewardship assessment", the per unit amount added to the purchase price of a mattress sold to a consumer to cover the costs of a mattress stewardship program.

"Stewardship organization", a nonprofit organization designated by a producer or group of producers to implement a mattress stewardship program.

"Ticking", the outermost layer of fabric or related material of a mattress; provided, that "ticking" shall not include any layer of fabric or material quilted together with, or otherwise attached to, the outermost layer of fabric or material of a mattress.

(b)(1) Except as provided in paragraph (3), a producer, renovator or retailer shall not sell or offer for sale any mattress to any person in in the commonwealth unless the producer,

renovator or retailer is registered with a stewardship organization with a plan approved by the department pursuant to subsection (d).

(2) On and after the date that a mattress stewardship program is implemented, a retailer shall: (i) purchase a mattress only from a producer or renovator that is registered with a stewardship organization as of the date of purchase as evidenced by information made available by a stewardship organization pursuant to paragraph (4); (ii) collect, at the point of sale, the mattress stewardship assessment established pursuant to a plan approved by the department and remit the mattress stewardship assessment to the stewardship organization that implements the mattress stewardship program; and (iii) provide to consumers, at the point of sale, information on available collection opportunities for discarded mattresses through the mattress stewardship program.

(3) A retailer shall be deemed to be in compliance with this subsection if, on the date the mattress was ordered from the producer or its agent, the producer of the mattress brand is listed on the department's website as implementing or participating in an approved mattress stewardship program.

(4) A stewardship organization shall make available on the stewardship organization's website and on request: (i) information on registered brands provided to the stewardship organization by the producers and renovators registered with the stewardship organization; (ii) information on available collection opportunities; and (iii) any other information necessary for retailers to comply with paragraph (2).

(5) A retailer or renovator shall identify the mattress stewardship assessment as a separate line item on the receipt for a mattress provided to a consumer at the point of sale.

(6) A stewardship organization shall use a mattress stewardship assessment collected in the commonwealth to pay the costs to plan, implement, administer and operate a mattress stewardship program in the commonwealth, including a financial reserve to prudently prepare for unexpected costs.

(7) Nothing in this subsection shall prevent a stewardship organization from, with notice to the department, coordinating efforts for carrying out a mattress stewardship program in the commonwealth with programs for the collection and environmentally sound management of discarded mattresses in other states.

(c)(1) A stewardship organization shall submit to the department a plan for the development and implementation of a mattress stewardship program. The plan shall: (i) describe how the stewardship organization will manage and administer a mattress stewardship program; (ii) identify each producer, renovator and retailer that is registered with the stewardship organization as of 30 days before the plan is submitted to the department; and (iii) include a description of how the stewardship organization will provide for the environmentally sound management of program mattresses, regardless of the producer; (iv) establish performance goals for: (A) the collection target and recycling rates of program mattresses; and (B) public awareness of the mattress stewardship program; (v) include an anticipated annual operating budget, as described in paragraph (3), for the mattress stewardship program for 2 years of operation of the program, beginning with the year in which the plan is submitted to the department; (vi) include a proposed method for collecting the mattress stewardship assessment from retailers and a method for ensuring the assessment is remitted to the stewardship organization; provided, that the mattress stewardship assessment shall be sufficient to recover, but not exceed, the costs of establishing and administering the mattress stewardship program; (vii) provide for public

education and awareness of discarded mattress collection opportunities statewide and on a regular basis; (viii) address procedures for identifying substantial or material changes to the system for collecting discarded mattresses for which a plan amendment shall be required under subsection (f); and (ix) describe the criteria for determining whether a mattress should be rejected as unacceptable for recycling because it is contaminated, wet, crushed, or would otherwise pose a health or safety risk to personnel or equipment, and how the solid waste sector would dispose of such mattresses. The description pursuant to clause (iii) shall include, but shall not be limited to: (A) identification of the proposed recyclers that the stewardship organization will contract with to process program mattresses and the recycling methods that the recyclers will use; (B) how the stewardship organization will implement the mattress stewardship program to engage in environmentally sound management practices; and (C) describe how non-program mattresses will be handled.

(2) There shall be no charge at the point of collection of discarded program mattresses; provided, however, that the stewardship organization may allow for a person that provides a premium service under the mattress stewardship program to charge for the additional cost of that premium service for program mattresses.

(3) The anticipated annual operating budget for a mattress stewardship program shall include, but shall not be limited to, budget line items relating to the: (i) collection, transportation and processing of program mattresses; (ii) anticipated amount of moneys that the stewardship organization will hold in unallocated reserve funds for the mattress stewardship program; and (iii) annual fee to be paid to the department pursuant to paragraph (3) of subsection (g).

(4) In operating a mattress stewardship program, a stewardship organization shall: (i) meet the requirements of the plan submitted under this subsection, as approved by the department pursuant to subsection (e); and (ii) meet or exceed the service requirements pursuant to subsection (d).

(d)(1) A plan submitted pursuant to subsection (c) shall provide for convenient consumer access to the program, including permanent mattress dropoff locations throughout the commonwealth, collection events in underserved areas of the commonwealth and a convenient way for the public to access a list of mattress collection opportunities.

(2) A plan may provide for methods for providing convenient service that are alternative methods to those provided for in paragraph (1) if, based on a geographic information systems analysis or additional information, the alternative methods shall result in providing service to residents throughout this state at an equivalent level of convenient service compared with the methods provided for under paragraph (1).

(3) A stewardship organization may: (i) establish and maintain collection sites at permitted solid waste facilities or other suitable sites for the collection of discarded mattresses; provided, that such sites shall not impose a fee for making space available for storage containers that the stewardship organization shall provide at no charge; (ii) provide for bulk pickup service at no cost to collect a minimum of 100 properly sourced separated program mattresses at 1 time from persons including: (A) retailers; (B) health care, educational or military facilities; and (C) hotels, motels, inns and other establishments that provide transient lodging; (iii) offer organizations that recycle or renovate discarded mattresses the opportunity to participate as collection sites; and (iv) notify retailers that sell or offer for sale mattresses made or sold by

producers or renovators registered with the stewardship organization about the mattress stewardship program and provide retailers with information necessary to comply with this subsection.

(e)(1) The department shall approve, reject or request additional information for a plan submitted under subsection (c) or an amendment to a plan submitted under subsection (g) not later than 60 days after the department receives the plan or plan amendment from the stewardship organization. The department shall post a plan or plan amendment on its website and provide for a public comment period of not less than 15 days before approving, rejecting or requesting additional information on the plan or plan amendment.

(2) If the department rejects, or requests additional information pertaining to subsection (c) for, the plan or plan amendment, the department shall provide the stewardship organization with the reasons, in writing, that the plan or plan amendment does not meet the plan requirements of subsection (c). The stewardship organization shall have 30 days from the date that the rejection or request for additional information is received to submit to the department any additional information necessary for the approval of the plan or plan amendment. The department shall review and approve or disapprove the revised plan or plan amendment not later than 30 days after the department receives the revised plan or plan amendment.

(3) The department's rejection of, or request for additional information for, a plan amendment does not relieve a stewardship organization from continuing to implement a mattress stewardship program in compliance with a previously approved plan pending a final action by the department on the plan amendment.

(4) Not later than 1 year after a plan or amended plan is approved under this section, a stewardship organization shall implement a mattress stewardship program as described in the plan or amended plan.

(f)(1) Each stewardship organization shall submit to the department for approval an amendment to a plan that has been approved by the department under subsection (e) if, at any time: (i) there is a substantial or material change, pursuant to paragraph 1 of subsection (c), to the system for collecting discarded mattresses; or (ii) the department requests an amendment to the plan in order to address a specific finding by the department that the program plan is outdated as described in the program plan.

(2) The department shall review the program plan every 5 years after initial plan approval. If the department determines that the requirements of paragraph (1) have been met, it may require the stewardship organization to submit to the department, an amended plan for its review and approval or rejection.

(3) The department shall not request an amendment pursuant to paragraph (1) until 2 years after the implementation of a mattress stewardship program by the stewardship organization.

(4) Within 30 days of the following, the stewardship organization shall provide written notice to the department: (i) a change in the location or the number of permanent collection sites identified in the plan; (ii) a change in the producers or renovators that are registered with the stewardship organization; or (iii) a change in the recyclers or renovators and transporters that manage the discarded mattresses collected by the stewardship organization under the program.

(5) The stewardship organization may change the amount of such assessment after 1 year from the date when the collection of the stewardship assessment commences; provided, however, that the organization shall not change the amount of such assessment more frequently than annually unless the organization provides good cause to change the assessment earlier and shall provide not less than 90 days notice to the public before the change in the amount of such assessment takes place.

(6) The stewardship organization may conduct a financial review of the fees of those parties required to remit the stewardship assessment to the mattress recycling organization to verify that the assessments paid are proper and accurate and to confirm that all parties required by this article to pay or collect the assessment are paying or collecting the proper amount. The financial review shall be carried out in accordance with generally accepted auditing practices and shall be limited in scope to confirm whether the stewardship assessment has been properly collected on all sales of mattresses to consumers in the commonwealth. The stewardship organization shall hire independent third-party auditors to conduct the financial review. The organization shall provide to the department a copy of such financial review reports.

(7) A proposed change to the mattress stewardship assessment shall not be grounds to require a program plan amendment.

(g)(1) Each stewardship organization that implements a mattress stewardship program pursuant to a plan approved by the department pursuant to section 5 shall, not later than July 1 of each year, submit for review and approval to the department: (i) the annual report pursuant to subsection (b) for the preceding calendar year; and (ii) an updated budget for the upcoming calendar year that follows the budget requirements pursuant to subsection (c);

(2) The annual report submitted by a stewardship organization pursuant to paragraph (1) shall include, but shall not be limited to, with respect to mattresses collected in the commonwealth:

(i) the total sales of mattresses sold to consumers in the commonwealth in the previous calendar year by producers, renovators and retailers registered with the stewardship organization;

(ii) the mattress stewardship program's costs and revenues for the previous calendar year;

(iii) information on the number and tonnage of discarded mattresses collected pursuant to the mattress stewardship program for recycling during the previous calendar year;

(iv) the weight of mattress materials recycled and the final disposition of mattress materials, by weight and by material, sold as commodities in secondary markets;

(v) the weight of program mattress materials sent for disposal at each of the following: (A) waste-to-energy facilities; (B) landfills; and (C) any other facilities;

(vi) an evaluation of why the mattress materials sent for disposal were not recycled and a description of program efforts to increase the recycling rate of mattress materials under the mattress stewardship program;

(vii) the strategies of the stewardship organization will take to address discarded mattresses that are not program mattresses and discarded mattresses that are illegally dumped;

(viii) a summary of the public education offered in the previous calendar year that supports the mattress stewardship program and examples of public education materials;

(ix) an evaluation of the effectiveness of methods and processes used to achieve the approved program plan goals of the mattress stewardship program, information on progress made toward achieving the goals, an explanation of why any goals were not met during the previous calendar year and any options for improving progress toward meeting the goals in the future, if applicable;

(x) a report by an independent certified public accountant, retained by the stewardship organization at the stewardship organization's expense, on the accountant's audit of the stewardship organization's financial statements;

(xii) a report on the outcome of financial review of entities the stewardship organization contracts with, as provided in subsection (f); and

(xiii) recommendations for changes to the mattress stewardship program, including continuous improvement.

(3) The department shall establish an annual fee to be paid by the stewardship organization that is reasonably calculated to cover the actual costs to the department to administer, implement and enforce this section. The department shall provide notice to a stewardship organization not later than April 1 of each year of the annual fee for the upcoming calendar year. Fees collected by the department under this section shall be credited to the Mattress Stewardship Fund established under section 2PPPPPP of chapter 29.

(h)(1) The department may enter upon and inspect, at any reasonable time, any public or private property, premises or place for the purpose of investigating either an actual or suspected violation of this section.

(2) A stewardship organization shall retain all records related to implementation of a mattress stewardship program for not less than 3 years and make the records available for inspection by the department upon request.

(3) The department shall maintain on its website a list of all producers, renovators and retailers that are in compliance with this section.

(4) Upon a written finding that a manufacturer, renovator, distributor, recycler or retailer has not met a material requirement of this section, in addition to any other penalties authorized under this section, the department may take any of the following actions after affording the manufacturer, organization, renovator, distributor, recycler or retailer a reasonable opportunity to respond to or rebut the finding, to ensure compliance with the requirements of this section:

(i) require additional reporting requirements relating to compliance with the material requirement identified by the department;

(ii) remove the manufacturer, renovator or distributor from the department's internet website and list of compliant manufacturers, renovators, and distributors, as specified in subsection (b); and

(iii) levy civil penalties as described in subsection (k).

(i)(1) The establishment, administration, setting, collection and disbursement of the stewardship assessment shall be exempt from federal and state antitrust laws.

(2) This section shall not authorize any person to engage in activities or to conspire to engage in activities that constitute per se violations of state or federal antitrust laws that are not authorized under this section.

(3) This subsection shall not apply to any activities related to: (i) pricing agreements for mattresses unrelated to the mattress stewardship assessment; (ii) agreements regarding the output or production of mattresses; or (iii) restrictions on the geographic area in which, or the consumers to whom, mattresses will be sold.

(4) The department shall actively supervise the conduct of a stewardship organization in establishing, administering, collecting and disbursing the mattress stewardship assessment.

(j) The department may adopt rules and regulations as necessary to implement this section.

(k)(1) A retailer that violates this section shall be subject to a civil penalty not greater than $100 per day for each day of the violation. A producer, renovator or representative organization that violates this section shall be subject to a civil penalty not greater than $1,000 per day for each day of the violation.

(2) Any penalty collected under this subsection shall be placed in the mattress stewardship fund to be used by the department to ensure the implementation of approved mattress stewardship programs.

(3) In evaluating whether to impose a civil penalty, and in determining the amount of such civil penalty, the department shall take into account the materiality of the violation, whether the violation is wholly or partially the result of factors beyond the control of the producer or mattress recycling organization, whether the producer or mattress recycling organization has made a good faith effort to comply with this section and whether the violation can be addressed through means other than a civil penalty.

SECTION 11B. Section 2 of chapter 21G of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after the word “volume.”, in line 32, the following words:- The permit program is intended to assist the department in the comprehensive management of the commonwealth’s water resources within its river basins in a manner that ensures an appropriate balance among competing water withdrawals and uses, as well as preservation of the water resource itself.

SECTION 11C. Said section 2 of said chapter 21G, as so appearing, is hereby further amended by inserting after the word “thereunder.”, in line 49, the following words:- The registration statement is intended to enable the department to document baseline water use in the commonwealth.

SECTION 11D. Section 5 of said chapter 21G, as so appearing, is hereby amended by adding the following paragraph:-

All properly filed renewal registration statements shall entitle the registrants to their registered water use volumes without conditions, including through department regulations; provided, however, that the department regulations may establish water volume measurements; provided further, that the department may require proper metering or other means to accurately measure the volume of water withdrawn under a renewal registration statement.

SECTION 11E. Chapter 21N of the General Laws is hereby amended by inserting after section 3B the following section:-

Section 3C. The secretary shall, in consultation with the department and the coastal zone management office established in section 4A of chapter 21A, develop a quantified net positive statewide carbon sequestration and storage goal for natural and working lands. In consideration

of the commonwealth's substantial coastline, the secretary shall study the sequestration capacity of the commonwealth's salt marshes, seagrasses and waterways in developing the commonwealth's carbon sequestration goal. The sequestration goal shall be determined in agreement with the statewide greenhouse gas emission reductions goals as established by the secretary.

SECTION 11F. Chapter 25A of the General Laws is hereby amended by adding the following section:-

Section 22. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Correlated color temperature", the apparent hue of the light emitted by a fixture, expressed in kelvin (K).

"Façade lighting", illumination of exterior surfaces of buildings for the enhancement of their nighttime appearance, achieved by shining light onto building surfaces, or by internal or external illumination of translucent building surfaces, or with fixtures solely for decorative function.

"Fixture", a complete lighting unit, including a light source together with the parts designed to distribute the light, to position and protect the light source and connect the light source to the power supply.

"Fully shielded fixture", a fixture that in its mounted position has an uplight value of U0 as defined by the Illuminating Engineering Society's IES TM-15-11, Luminaire Classification System for Outdoor Luminaires or successor publication, or that allows no direct light from the

fixture above a horizontal plane through the fixture's lowest light-emitting part, in its mounted position.

"Glare", light emitted by a fixture that causes visual discomfort or reduced visibility.

"Illuminance", the luminous power incident per unit area of a surface.

"Light trespass", light that falls beyond the property it is intended to illuminate.

"Lumen", a standard unit of measurement of the quantity of light emitted from a source of light.

"Municipal funds", bond revenues or money appropriated or allocated by the governing body of a town or city within the commonwealth.

"Ornamental lighting", a lighting fixture that has a historical or decorative appearance and that serves a decorative function in addition to serving to light a roadway, parking lot, walkway, plaza, landscaping or other area.

"Parking-lot lighting", a permanent outdoor fixture specifically intended to illuminate an uncovered vehicle parking area.

"Permanent outdoor fixture", a fixture for use in an exterior environment installed with mounting not intended for relocation; provided, however, that "permanent outdoor fixture" shall not include: (i) a fixture used temporarily for emergency, repair, construction or similar activities; (ii) the replacement of a previously installed permanent outdoor fixture that is destroyed, damaged or inoperative, has experienced electrical failure due to failed components, or requires standard maintenance; or (iii) festoon lighting; as defined in the National Fire Protection Association Inc.'s NFPA 70 National Electrical Code.;

"Roadway lighting", a permanent outdoor fixture specifically intended to illuminate a public roadway.

"Sky glow", scattered light in the atmosphere that is caused by light directed upward or sideways from fixtures, reducing an individual's ability to view the natural night sky.

"State funds", bond revenues or money appropriated or allocated by the general court.

"Uplight", direct light emitted above a horizontal plane through the fixture's lowest light-emitting part in its mounted position.

(b) The department, in consultation with the Massachusetts Department of Transportation and the executive office of public safety and security, shall promulgate regulations governing the use of state or municipal funds to install, to cause to be installed, or to operate new permanent outdoor fixtures, with the intent of reducing energy waste and minimizing light pollution. Such regulations shall ensure that state and municipal funds are not used for new permanent outdoor fixtures unless the following conditions are met:

(i) fixtures used for roadway lighting or parking-lot lighting, whether mounted to poles, buildings or other structures, shall be fully shielded unless they are ornamental lighting fixtures, or are fixtures used to light tunnels or roadway underpasses;

(ii) ornamental lighting fixtures shall comply with a limit on lumens of uplight established in the regulations;

(iii) fixtures used for roadway lighting shall not be more numerous than is necessary for adequate vehicular and pedestrian safety, as determined by the regulations and given due

consideration to the Federal Highway Administration Lighting Handbook and to the recommendations in the Illuminating Engineering Society's ANSI/IES RP-8;

(iv) building-mounted fixtures shall be fully shielded unless they are façade lighting fixtures;

(v) façade lighting fixtures shall be selected and installed to direct the light onto the intended target, and shall be shielded, so that glare, sky glow and light trespass are minimized;

(vi) fixtures used to light historic structures, flags, monuments, statuary and works of art shall be selected and installed to direct the light onto the intended target, and shall be shielded, so that glare, sky glow and light trespass are minimized;

(vii) fixtures used to light athletic playing areas shall be selected and installed so as to minimize glare, light trespass and sky glow outside the athletic playing area;

(viii) fixtures installed for any purpose shall have a correlated color temperature that is not greater than a limit established in the regulations; provided, that the limit shall not exceed 3000 K; and provided further, that said regulations shall include exemptions from the limit where: (A) a public safety need is demonstrated; (B) the fixtures are used exclusively for the decorative illumination through color of certain building façade or landscape features; or (C) the fixtures are used to illuminate athletic playing areas; and

(ix) lighting installed for any purpose shall provide maintained illuminance at levels that are no greater than those required for the intended purpose, as established in the regulations and given due consideration to lighting industry standards and practices, unless a demonstrated and verified need exists for higher levels to ensure safety or security; provided, that if a municipal

ordinance or regulation specifies lower illuminance levels, the illuminance level required for the intended purpose by the municipal ordinance or regulation shall be used.

(c) This section shall not apply: (i) if it is preempted by federal law; (ii) to navigational and other lighting systems necessary for aviation and nautical safety; (iii) if a compelling and bona fide safety or security need exists that cannot be reasonably addressed through a fixture, fixture placement, or illuminance level that complies with subsection (b), or through non-lighting safety measures; or (iv) to fixtures installed under any specific exemptions as codified in the regulations established under subsection (b).

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

Section 2OOOOOO. (a) For the purposes of this section, "Historic Connecticut River Water Trail" shall, unless the context clearly requires otherwise, mean the portion of the Connecticut river beginning at the Holyoke dam located at river mile 83.4 and ending at the northern border of the municipality of Hatfield located at river mile 104.3.

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

(c) The fund shall be credited with: (i) money transferred to the fund by a municipality; (ii) money transferred to the fund by the municipal gas and electric commission of the city of Holyoke; (iii) money transferred to the fund by the general court and specifically designated to

be credited to the fund; (iv) funds from public and private sources, including, but not limited to, gifts, grants and donations; and (v) interest earned on money in the fund.

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

(e) The unexpended balance in the fund at the end of a fiscal year shall remain available for expenditure in subsequent fiscal years. For the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the executive office of energy and environmental affairs may incur expenses, and the comptroller shall certify for payment, amounts not to exceed the most recent revenue estimate as certified by the office of law enforcement established in section 10A of chapter 21A, as reported in the state accounting system.

Section 2PPPPPP. (a) There shall be established and set up on the books of the commonwealth a separate, non-budgeted special revenue fund known as the Mattress Stewardship Fund, which shall be administered by the commissioner of environmental protection to pay the costs of administering, implementing and enforcing section 32 of chapter 21A.

(b) The fund shall be credited with: (i) fees collected pursuant to subsection (g) of section 32 of chapter 21A; (ii) money transferred to the fund by the general court and specifically

designated to be credited to the fund; (iii) funds from public and private sources, including, but not limited to, gifts, grants and donations; and (iv) interest earned on money in the fund.

(c) Amounts credited to the fund shall be expended without further appropriation, by the commissioner of environmental protection. The unexpended balance in the fund at the end of a fiscal year shall remain available for expenditure in subsequent fiscal years.

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

Chapter 29E

Resilience Revolving Fund

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

"Board", as defined in section 1 of chapter 29C.

"Trust", as defined in section 1 of chapter 29C.

"Trust agreement", as defined in section 1 of chapter 29C.

Section 2. (a) There shall be established and set up on the books of the commonwealth a separate, non-budgeted special revenue fund known as the Resilience Revolving Fund. The fund shall be administered by the board. The fund shall be credited with amounts credited or transferred to the fund by the general court or any other source, including, but not limited to: (i) fees or tax revenue specified to be credited to the fund; (ii) federal grants; (iii) loan repayments; (iv) investment earnings on money in the fund; and (v) any other amounts required to be credited

to the trust by operation of law, resolution or agreement entered into by the board. The state treasurer shall be the treasurer-custodian of the fund and, subject to any applicable trust agreement, the state treasurer may invest monies held in the fund in such investments as may be legal investments for funds of the commonwealth.

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

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

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

(c) The executive office of energy and environmental affairs shall promulgate regulations establishing the criteria for a climate resilience project and any key project requirements, including, but not limited to: (i) the scope of the project; (ii) any ongoing requirements and covenants; and (iii) compliance with subsection (b) of section 283 of chapter 238 of the acts of 2024 regarding the use of project labor agreements.

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

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

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

(2) The board shall determine the denominations of bonds, the details of their execution and authentication and their places of payment within or without the commonwealth. In case any trustee or officer whose signature appears on any bonds shall cease to be such officer before their

delivery, the signature shall nevertheless be valid and sufficient as if the officer had remained in office until delivery.

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

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

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

(c) Bonds of the trust may be secured by a trust agreement between the trust and the bond owners or a corporate trustee which may be any trust company or bank having the powers of a trust company within or without the commonwealth. A trust agreement may pledge or assign, in whole or in part, any loan agreements and local governmental obligations, and the revenues, funds and other assets or property held or to be received by the trust with respect to the fund, including, but not limited to, all monies and investments on deposit from time to time in the fund or any account of such trust agreement and any contract or other rights to receive the same, whether then existing or thereafter coming into existence and whether then held or thereafter acquired by the trust, and the proceeds thereof. A trust agreement may contain, without limitation, provisions for protecting and enforcing the rights, security and remedies of the bondholders, provisions defining defaults and establishing remedies, which may include acceleration and may also contain restrictions on the remedies by individual bondholders. A trust agreement may also contain covenants of the trust concerning the custody, investment and application of monies, the enforcement of loan agreements and local governmental obligations,

the issue of additional or refunding bonds, the use of any surplus bond proceeds, the establishment of reserves and the regulation of other matters customarily treated in trust agreements. At the request of the board, the state treasurer shall join in any trust agreement or to otherwise agree with the trust, any lender or any trustee for bondholders to hold the fund in compliance with any covenants and provisions relating to the fund contained in any trust agreement.

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

(e) The board may, by resolution, provide for the issue by the trust of interim receipts or temporary bonds, exchangeable for definitive bonds when the bonds are executed and are available for delivery. The board may provide for replacement of mutilated, destroyed or lost bonds. The trust may purchase and invite offers to tender for purchase any outstanding bonds; provided, however, that no purchase by the trust shall be made at a price, exclusive of accrued interest, if any, exceeding the bond's principal amount or, if greater, its redemption price when

next redeemable at the option of the trust. The trust may resell any bonds it purchases in such manner and for such price as it may determine.

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

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

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

(i) Bonds of the trust shall be deemed to be investment securities under chapter 106. Bonds, their transfer and the income therefrom, including any profit made on the sale thereof, shall, at all times, be exempt from taxation by and within the commonwealth. The trust shall not be required to pay any taxes, assessments or excises upon its income, existence, operation or assets, monies or revenues.

Section 5. It shall be lawful for any bank or trust company to act as a depository of the fund or trustee under a trust agreement; provided, that the bank or trust company shall furnish indemnification and reasonable security as the board may require. Any assignment or pledge of revenues, funds and other assets and property made by the trust shall be valid and binding and shall be deemed continuously perfected for the purposes of chapter 106 and other laws when made. The revenues, funds and other assets and property, rights therein and thereto and proceeds so pledged and then held or thereafter acquired or received by the trust shall immediately be subject to the lien of such pledge without any physical delivery or segregation or further act, and the lien of any such pledge shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the trust, whether or not such parties have notice thereof. The trust agreement by which a pledge is created need not be filed or recorded to perfect the pledge except in the records of the board and no filing need be made pursuant to said chapter 106. Any pledge or assignment made by the trust is an exercise of its political and governmental powers, and loan agreements, local governmental obligations, revenues, funds, assets, property and contract or other rights to receive the same and the proceeds thereof that are subject to the lien of a pledge or assignment created under this chapter shall not be applied to any purposes not permitted by the pledge or assignment. Any holder of a bond and any trustee under a trust agreement, except to the extent its rights may: (i) be restricted by the trust agreement; (ii) bring

suit upon the bonds; and (iii) pursue any other legal action to protect and enforce its rights and compel performance of all duties required to be performed by the trust and the board.

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

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

Chapter 29F

Community Septic Management Program Expansion

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

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

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

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

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

Section 2. (a) Notwithstanding chapter 29C or any other general or special law to the contrary, to reduce environmental impacts of nitrogen pollution in vulnerable communities, a local or regional board of health may enter into loan agreements, subject to appropriation, with

owners of domestic septic systems to provide for the repair, replacement or upgrade of domestic septic systems.

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

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

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

(c) To be eligible for loan assistance each affected owner of a structure used for human habitation benefiting directly from the shared domestic septic system shall enter into a loan agreement with the local or regional board of health in the city or town where such system is located for the repayment of the owner’s proportionate share of the costs and expenses incurred

by the local or regional board of health for the repair, replacement or upgrade of any part of the shared domestic septic system.

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

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

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

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

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

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

"Organization of unit owners", shall have the same meaning as defined in section 1 of chapter 183A.

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

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

(c) The betterment agreement shall: (i) be approved by a majority of the unit owners benefited by the repair, replacement or upgrade of the septic system or any combination of such septic system improvements; (ii) include an identification of the units and unit owners subject to the agreement and the percentages, as set forth in the master deed, of the undivided interests of

the respective units in the common area and facilities; and (iii) include a statement by an officer or trustee of the organization of unit owners certifying that the required number of unit owners have approved the agreement. As between the affected unit owners and the city or town, such certification shall be conclusive evidence of the authority of the organization of unit owners to enter into the agreement.

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

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

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

SECTION 14. Subsection (a) of section 2 of chapter 29E of the General Laws, inserted by section 13, is hereby amended by striking out the words “and (v) any other amounts required to be credited to the trust by operation of law, resolution or agreement entered into by the board” and inserting in place thereof the following words:- (v) any other amounts required to be credited

to the trust by operation of law, resolution or agreement entered into by the board; and (vi) any amounts transferred pursuant to paragraph (2) of subsection (d) of section 168 of chapter 175.

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

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

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

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

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

“Cut”, sever or taken from the soil.

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

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

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

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

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

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

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

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

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

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

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

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

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

(h) The department shall record its notice of assignment or notice of exercise within 30 days of the earliest of: (i) receipt by the commissioner of a notice of non-exercise from the town or city; (ii) expiration of a town or city option by failure to record a notice of exercise or notice

of assignment; or (iii) receipt by the commissioner of notice from the landowner of expiration for any other reason.

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

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

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

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

(b) Any notice of intent to sell or convert required by section 14 and all required accompanying materials shall be provided to the commissioner of agricultural resources in the

same manner as they are conveyed by the landowner to other parties. If the notice of intent to sell or convert provided to the commissioner does not contain all the required material, then the department, within 30 days of receipt of the notice, shall notify the landowner and town or city, in writing, that the notice is insufficient and does not comply.

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

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

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

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

(g) The department or its assignee may exercise an option under this section by providing written notice of its intent to the town or city and landowner prior to the end of the same 120-day period available to the town or city for exercise of its option pursuant to section 14. An option so exercised shall be effective at such time as the town or city records a notice of non-exercise with the registry of deeds or that the town's or city's option otherwise expires.

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

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

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

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

Section 9A. (a) The department of conservation and recreation shall have a first refusal option to meet a bona fide offer to purchase land proposed for sale pursuant to section 9 or an

option to purchase such land at full and fair market value in the case of conversion, which option shall be subordinate to that of a town or city pursuant to section 9. Except as provided herein, the department shall have all applicable rights and obligations of cities and towns under section 9, including, but not limited to, the: (i) right of entry upon the land; (ii) provision of non-exercise notices; and (iii) recording of notices of exercise at the appropriate registry of deeds. The department or its assignee and the town or city may cooperate to satisfy the appraisal requirements or other obligations required by section 9 or this section.

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

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

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

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

(f) The department or its assignee may exercise its option only after: (i) consultation with the executive office of housing and livable communities and the executive office of economic development; and (ii) holding a public hearing. Said public hearing shall be held pursuant to

sections 18 to 25, inclusive, of chapter 30A within the town or city where the land is located or in 1 such town or city if the land crosses a municipal boundary and shall be held prior to submission of a written notice of intent to exercise an option under this section. The department or assignee, at said hearing, shall disclose the reasons for exercise of the option pursuant to this section and identify any assignment by the department. The department or its assignee may comply with the public hearing requirement by participating in a scheduled public meeting of a town or city.

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

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

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

SECTION 22A. Section 1 of chapter 64H of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after the definition of “Retail establishment” the following definition:-

“Rolling stock”, trucks, tractors and trailers, used by common carriers to transport goods in interstate commerce.

SECTION 22B. Section 6 of said chapter 64H, as so appearing, is hereby amended by adding the following subsection:-

(aaa) Sales of rolling stock.

SECTION 22C. Section 1 of chapter 64I of the General Laws, as so appearing, is hereby amended by inserting after the words “‘retail establishment’”, in line 7, the following words:- , “rolling stock”.

SECTION 22D. Section 7 of said chapter 64I, as so appearing, is hereby amended by adding the following subsection:-

(f) Storage, use or other consumption of rolling stock.

SECTION 22E. Section 9 of chapter 90 of the General Laws, as so appearing, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- A tractor, trailer, truck or all-terrain vehicle may be operated without such registration upon any way for a distance not exceeding one-half mile, if said tractor, trailer, truck or all-terrain vehicle is used exclusively for agricultural purposes consistent with section 1A of chapter 128, or between one-half mile and 10 miles if said tractor, trailer, truck or all-terrain vehicle is used exclusively for such agricultural purposes and the owner thereof maintains in full force a policy

of liability insurance which conforms to section 113A of chapter 175, or for a distance not exceeding 300 yards, if such tractor, trailer, truck or all-terrain vehicle is used for industrial purposes other than agricultural purposes, for the purpose of going from property owned or occupied by the owner of such tractor, trailer, truck or all-terrain vehicle to other property so owned or occupied.

SECTION 22F. Said section 9 of said chapter 90, as so appearing, is hereby further amended by adding the following 3 paragraphs:-

For the purposes of this section, an all-terrain vehicle shall include those vehicles known as a quad, quad bike, 3-wheeler, 4-wheeler or quadricycle as defined by the American National Standards Institute. Persons utilizing all-terrain vehicles pursuant to this section shall annually notify the police department in the municipalities in which they are to operate of the public way and sections of public way on which they operate in the course of agricultural purposes. Failure to provide such notification may result in penalties pursuant to section 20.

All-terrain vehicles operating pursuant to this section shall be equipped with a safety flag of not less than 36 square inches in area which shall be elevated to no less than 6 feet from the ground and shall be equipped with a flashing red light mounted to the rear of the vehicle. If designed to travel at 25 miles per hour or less, the all-terrain vehicle shall display a “slow moving vehicle” emblem pursuant to section 7.

Vehicles traveling on a public way subject to this section shall be operated by a licensed driver. No all-terrain vehicle shall operate on a public way between sunset and sunrise. No all-terrain vehicle shall be operated on a public way for recreational or other purposes except as

authorized in this section and section 25 of chapter 90B, regarding crossing road at designated points.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) Projects beyond any established harbor line shall not be eligible for coverage under a general license or permit pursuant to this section unless the project is specifically authorized by

law, or, if not so authorized, is limited to dredging activities or a structure or fill that is entirely embedded in the soil and does not in any part occupy or project into such tidewater beyond the harbor line; provided, however, that the department may at any time require any structure or fill to be removed or relocated if channel changes or alteration demands the same, as required by section 14; and provided further, that this subsection shall not affect the eligibility of projects in areas without established harbor lines.

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

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

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

(g)(1) Upon or prior to applying for coverage under a general license or permit pursuant to this section, the project proponent shall: (i) submit to the planning board of a city or town where the work is to be performed and to the clerk of said city or town a statement of the proposed use, the location, the dimensions and limits and the mode of work to be performed; (ii) provide notice to the select board of the town or the mayor of the city and the conservation

commission of the town or city where the work is to be performed; and (iii) provide public notice in a manner specified by the department by regulation.

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

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

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

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

such notice with the department and afforded such person a reasonable opportunity to correct said noncompliance.

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

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

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

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

(b) Notwithstanding any general or special law to the contrary, the department may issue a general license authorizing priority housing projects consistent with commonwealth land use

planning and housing strategies and plans, climate resilient design guidelines and environmental priorities in tidelands otherwise subject to individual licensing pursuant to sections 12, 12A, 13, 14, 18 and 19.

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

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

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

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

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

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

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

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

(h) Any change in use or structural alteration of a licensed structure or fill shall require a new application to the department and, for projects seeking new coverage under a general license, compliance with the requirements of subsection (g). Any unauthorized substantial change in use or unauthorized substantial structural alteration shall render coverage under the general license void. Coverage under the general license granted by the department pursuant to

this chapter shall be revocable by the department for noncompliance with the conditions set forth therein. The department shall not revoke coverage under any general license until it has given written notice of the alleged noncompliance to the licensee and any person who has filed a written request for such notice with the department and afforded such persons a reasonable opportunity to correct said noncompliance.

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

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

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

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

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

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

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

Section 65. (a)(1) The secretary, in consultation with the commissioner of environmental protection and the commissioner of fish and game, shall establish standards and guidelines for the resilient design of culverts, including, but not limited to, culverts associated with bridges and culverts that are crossed by freshwater, saltwater or brackish water. The purpose of the standards and guidelines shall be to expedite the permitting of new municipal or replacement of existing municipal culverts. The standards and guidelines shall consider projected future levels of and impacts from precipitation, stormwater or flood events and impacts to fisheries and wildlife and their habitats and shall integrate the Massachusetts stream crossing standards and any other relevant standards, including then-current tidal crossing standards or resilience design standards. The standards and guidelines shall be based on scientific information, including, but not limited to, projected precipitation, hydrology and fisheries and wildlife and their habitats.

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

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

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

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

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

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

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

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

(c) The secretary of energy and environmental affairs and the commissioner of environmental protection shall issue any regulations or take other actions necessary or

appropriate to implement the use of the standards and guidelines established under subsection (a) to expedite implementation of projects meeting the criteria described in subsection (b) which require a certificate, permit, license or other approval pursuant to: (i) section 61 and sections 62A to 62L, inclusive, of chapter 30; (ii) chapter 91; (iii) section 40 of chapter 131; and (iv) section 401 of the federal Water Pollution Control Act, Public Law 92-500, 33 U.S.C. section 1251 et seq., as amended. Any regulations shall require that for projects meeting the criteria described in subsection (b), the department of environmental protection shall issue, deny or waive individual certifications pursuant to said section 401 of the federal Water Pollution Control Act not later than 60 days of receipt of a complete application.

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

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

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

(A) Written notice of intention under the general permit shall be submitted to the conservation commission or its authorized representative and the department of environmental

protection by electronic delivery in a manner prescribed by the department. A person submitting a notice of intention shall publish notification of the proposed project in a print newspaper of local or general circulation, or a newspaper's website, including on-line only newspaper publications, or a statewide or city- or town-wide website that may be maintained as a repository for such notices at the time of submittal of the notice of intention. Said notification shall describe the project location, details of the project, resource area impacts and any other relevant information needed to adequately describe the proposed project and shall specify that comments be sent within 14 days of publication to the conservation commission and the appropriate regional office of the department of environmental protection based on the location where the activities are proposed. No public hearing shall be required.

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

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

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

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

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

(g) The department of environmental protection shall consolidate adjudicatory proceedings regarding the same proposed project that are requested for permits and licenses pursuant to subsections (d) to (f), inclusive, or certifications pursuant to subsection (c) unless consolidation would not contribute to expeditious resolution of the appeals.

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

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

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

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

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

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

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

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

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

SECTION 44. Section 2B of chapter 128 of the General Laws, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following 2 sentences:- Whoever violates this section or section 2A, or any rule or regulation made

thereunder, shall be punished by: (i) a fine of not more than $10,000 or imprisonment for not more than 2 ½ years, or both; or (ii) a civil administrative penalty issued by the department not to exceed $500 per offense; provided, that the total administrative penalties assessed in any given action under this section shall not exceed $10,000. Each violation shall constitute a separate offense, and each day a violation continues shall constitute a separate offense.

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

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

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

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

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

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

SECTION 47A. Said chapter 128 is hereby further amended by inserting after section 2E the following section:-

Section 2F. All rodeos held in the commonwealth shall comply with all official rodeo rules as appearing in the most recently published edition of the Professional Rodeo Cowboy Association Rule Book. For the purposes of this section, the word "rodeo" shall mean a competition or exhibition in which individuals compete by or showcase skills associated with traditional cowboy activities, including, but not limited to, bull riding, bronc riding, bareback bronc riding, steer wrestling, calf roping and team roping and shall include the use of animals, including, but not limited to, bulls, steers, calves, broncs and horses.

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

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

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

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

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

"Distribute", to offer for sale, sell, exchange, barter, supply, furnish or otherwise provide commercial feed.

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

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

"Forage", dry hay, grass, legumes, haylage, baleage, corn and silage.

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

"Manufacture", to grind, mix or blend, or further process a commercial feed for distribution.

"Official sample", a sample of commercial feed taken by the department pursuant to section 59.

"Person", an individual, partnership, corporation, limited liability company, cooperative, business trust, business association or entity.

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

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

(i) the name and address of the applicant;

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

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

(iv) a written consent allowing the department to conduct both scheduled and random inspections, including, but not limited to: (A) for-cause inspections in response to complaints made to the department; and (B) inspections of and around the premises on which the commercial feed is being manufactured or distributed;

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

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

(c) Upon approval by the department, a copy of the registration shall be furnished to the applicant and the applicant shall be required to submit a registration fee in an amount to be determined by the department by regulation. All registrations shall expire on December 31 of

each year. Failure to submit all required application materials and information required pursuant to subsection (b) shall result in non-issuance of the registration until such time as all application requirements have been met to the department's satisfaction.

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

(e) The department may refuse the registration of any application not in compliance with sections 51 to 61, inclusive, or regulations issued thereunder, and may cancel any registration subsequently found to violate any provision thereof; provided, however, that no application shall be refused and no registration shall be cancelled without first providing the applicant or registrant an opportunity to amend the application or otherwise obtain an adjudicatory hearing pursuant to chapter 30A and the regulations promulgated thereunder concerning the refusal of an application or cancellation of a registration.

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

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

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

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

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

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

(iv) the ingredient statement, which shall be in terms as required by the department through regulations, including, but not limited to, the common or usual name of each ingredient used in the manufacture of the commercial feed; provided, however, that the department, by regulation, may permit the use of a collective term for a group of ingredients that perform a similar function; and provided further, that the department may exempt such commercial feeds, or any group thereof, from the requirement of an ingredient statement if the department finds that such statement is not required in the interest of consumers;

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

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

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

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

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

(i) the name and address of the manufacturer;

(ii) the name and address of the purchaser;

(iii) the date of delivery;

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

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

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

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

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

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

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

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

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

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

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

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

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

such substance in such commercial feed does not ordinarily render it injurious to human or animal health;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) If the owner or owner's agent of any building, structure, land, vehicle or other premises or property described in subsection (a) refuses to admit the department to enter or inspect in accordance with subsection (a), the department may obtain from the court for the

district or county in which such building, structure, land, vehicle or other premises or property is located an administrative warrant to enter and inspect such building, structure, land, vehicle or other premises or property and to obtain samples of such feeds, feed ingredients or raw agricultural commodities in accordance with section 59, prior to entry, inspection and sampling. The district and superior courts may issue warrants upon a proper showing of the need for such entry, inspection and sampling.

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

(b) The department shall forward the results of all analyses of official samples to the person named on the label and to the purchaser. When the inspection and analysis of an official sample indicates a commercial feed has been adulterated or misbranded, and upon request within a time period to be established by the department by regulation following the receipt of the analysis, the department may furnish to the manufacturer a portion of the sample concerned. The department, in determining whether a commercial feed is deficient in any component, shall be guided by the official sample obtained and analyzed pursuant to this section.

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

(b) The department shall take all reasonable actions to ensure that no commercial feed in violation of sections 51 to 56, inclusive, sections 58 and 59 and department regulations, enters commerce in the commonwealth, including, but not limited to, orders for stop sale, quarantine,

detainment, withdrawal from distribution, condemnation, confiscation, destruction or any other actions as may be determined by the department.

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

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

(e) The remedies provided in this section shall be available in addition to, and without limiting, any other penalties provided by law or equity, in this chapter or elsewhere. The district and superior courts shall have concurrent jurisdiction to enforce sections 51 to 61, inclusive, and

restrain violations thereof. Enforcement actions brought under this section and appeals thereof shall conform to the applicable provisions of chapter 30A and informal hearing regulations promulgated thereunder.

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

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

Section 125. (a) The supreme judicial court or any justice thereof, and the superior court or any justice thereof, shall have jurisdiction in equity to enforce this chapter and regulations promulgated thereunder. Proceedings to enforce this chapter and regulations promulgated thereunder may be instituted and prosecuted by the attorney general.

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

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

SECTION 50A. Section 98 of chapter 130 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out, in lines 5 to 7, inclusive, the words “the shellfish wardens training course at the Massachusetts Maritime Academy as certified by said academy,” and inserting in please thereof the following words:- a shellfish wardens training course as certified by the division.

SECTION 50B. Section 1 of chapter 131 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after the definition of “Angling” the following definition:-

“Archery equipment”, any bow, arrow, bolt or crossbow.

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

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

dynamics and long-term monitoring to evaluate reserves as compared to other land management approaches.

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

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

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

protect public safety; or (v) address other unforeseen circumstances. The division may undertake such other management actions as may be required by law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 55A. Section 57 of said chapter 131 is hereby repealed.

SECTION 55B. Section 58 of said chapter 131, as so appearing, is hereby amended by striking out, in lines 1 and 2, the words “release any arrow” and inserting in place thereof the following words:- hunt by any means.

SECTION 55C. Said section 58 of said chapter 131, as so appearing, is hereby further amended by adding the following 2 sentences:- Notwithstanding the previous sentence, no person shall: (i) discharge archery equipment upon or across a state highway or hard surfaced highway, or within 150 feet, of any such highway; or (ii) hunt with archery equipment on the land of another within 250 feet of a dwelling in use, except as authorized by the owner or occupant thereof. Nothing in this section shall apply to falconry.

SECTION 55D. Section 60 of said chapter 131, as so appearing, is hereby amended by striking out, in lines 1 and 5 and 6, the words “bow and arrow” and inserting in place thereof, in each instance, the following words:- archery equipment.

SECTION 55E. Section 61 of said chapter 131, as so appearing, is hereby amended by striking out, in line 1, the words “bow and arrow” and inserting in place thereof the following words:- archery equipment.

SECTION 55F. Section 62 of said chapter 131, as so appearing, is hereby amended by striking out, in lines 7 and 8, the words “bow and arrow” and inserting in place thereof the following words:- archery equipment.

SECTION 55G. Section 64 of said chapter 131, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words “or any crossbow, except as provided in section 69,”.

SECTION 55H. Section 65A of said chapter 131, as so appearing, is hereby amended by striking out, in line 5, the words “bow and arrow” and inserting in place thereof the words:- archery equipment.

SECTION 55I. Said chapter 131 is hereby further amended by striking out section 69, as so appearing, and inserting in place thereof the following section:-

Section 69. A person shall not carry or use archery equipment while hunting except in compliance with regulations promulgated by the division. The director shall promulgate regulations to implement this section. Such regulations shall prescribe general design and weight of pull and type of archery equipment and shall conform to standards generally accepted for hunting purposes.

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

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

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

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

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

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

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

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

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

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

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

SECTION 65. Section 168 of chapter 175 of the General Laws, as so appearing, is hereby amended by inserting after the word “commonwealth”, in line 146, the following words:- ; provided, however, that annually, not later than December 1, at the discretion of the secretary of administration and finance, the comptroller shall transfer to the Resilience Revolving Fund

pursuant to section 2 of chapter 29E an amount up to the difference between the amount of such fees collected in the prior fiscal year and the amount of such fees collected in fiscal year 2027.

SECTION 65A. Said chapter 175 is hereby further amended by adding the following section:-

Section 231. A company shall not require the removal of a tree from the property of a holder of a homeowners insurance policy if a certified arborist has determined the tree is not a hazard to the property.

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

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

(b) The secretary of energy and environmental affairs, in consultation with the secretary of housing and livable communities, shall issue standard notification forms and other materials to inform each prospective purchaser and tenant about the flood risks of residential real property. The forms and materials may include, but shall not be limited to: (i) information on whether the residential real property is located in a floodplain; (ii) documentation of historical flooding and past damages on the property, including, but not limited to, claims filed and grants or disaster assistance received for flood damage or flood mitigation; (iii) details about any flood insurance

or elevation certificates for the property (iv) information regarding future coastal flood risk using the best available data pursuant to state standards; (v) historic and present erosion rates; and (vi) details about prior retreat, relocation and demolition of structures and associated utilities on the property and abutting properties due to erosion.

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 69A. The fifth paragraph of section 44 of chapter 85 of the acts of 1994 is hereby amended by inserting after the words "Mount Greylock state reservation", the following words:- A.T. Stearns Counting House.

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

SECTION 70A. Section 1 of chapter 65 of the acts of 2010 is hereby amended by inserting after the word "Boston", the third time it appears, the following words:- , which shall include the Deerfield street dock in the city of Boston.

SECTION 70B. Item 1599-2031 in section 2 of chapter 102 of the acts of 2021 is hereby by striking out the words "shall be expended for urban" and inserting in place thereof the following words:- shall be expended to MassDOT or DCR for urban.

SECTION 70C. Item 1100-2516 of section 2 of chapter 140 of the acts of 2022, as amended by section 170 of chapter 140 of the acts of 2024, is hereby further amended by striking out the words “construction of a playground at Amvet Boulevard elementary school in the town of North Attleborough” and inserting in place thereof the following words:- project of dredging the Ten Mile river.

SECTION 70D. Item 1100-2516 of Section 2 of chapter 140 of the acts of 2022, as amended by section 170 of chapter 140 of the acts of 2024, is hereby further amended by striking out the words “for ADA compliant accessibility upgrades to the Mason Field House in the town of North Attleborough” and inserting in place thereof the following words:- for the project of dredging the Ten Mile river.

SECTION 70E. Item 6720-2261 of section 2F of chapter 176 of the acts of 2022 is hereby amended by striking the words “for roadway and intersection improvements near the intersection of Route 152 and Route 106 in North Attleborough and Plainville” and inserting in place thereof the following words:- for the project of dredging the Ten Mile river.

SECTION 71. (a) There shall be a special commission on flood risk mitigation and resilience in the Connecticut river valley. The commission shall consist of the following 21 members: the secretary of energy and environmental affairs or their designee, who shall be chair; the director of the Massachusetts emergency management agency or their designee; the executive director of the Franklin regional council of governments or their designee; the executive director of the Pioneer Valley planning commission or their designee; the chairs of the joint committee on environment and natural resources; and 15 members appointed by the governor, 6 of whom shall be representatives of municipalities within the Connecticut river watershed, 2 of whom

shall be representatives of regional water and sewer utilities, 1 of whom shall be a representative of a watershed organization, 1 of whom shall be a representative of the agriculture sector, 1 of whom shall be a representative from an environmental justice organization, 1 of whom shall be a representative from a land trust, 1 of whom shall be a representative from a labor organization and 2 of whom shall be representatives of regional higher education institutions.

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

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

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

SECTION 72. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, section 35 of chapter 92 of the General Laws or any other general or special law

to the contrary, the commissioner of capital asset management and maintenance may, in consultation with the commissioner of conservation and recreation, transfer Ravine road between West Wyoming avenue to the town line of the city of Melrose to the city of Melrose for the purpose of a public way; provided, that the exact boundaries of the parcel to be conveyed shall be determined by the commissioner of capital asset management and maintenance.

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

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

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

SECTION 73A. Notwithstanding any general or special law to the contrary, not later than June 30 in fiscal years 2027 and 2028, the Massachusetts water resources authority shall annually make a payment of $200,000 to each of the towns of Clinton, Boylston, West Boylston and Sterling to support the role of these communities in hosting the Wachusett reservoir. Such payments shall be made independent of, and shall not be reduced or offset by, any

recommendation, formula or methodology developed by the commission on Payments in Lieu of Taxes for state-owned land, or any successor commission or advisory body.

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

SECTION 74A. (a) The area of Douglas state forest in the town of Douglas that includes the facilities located at 120 Wallum Lake road shall be designated and known as the Governor Argeo Paul Cellucci Recreation Area. The Governor Argeo Paul Cellucci Recreation Area shall include, but shall not be limited to, the boat launch, beach, picnic areas, parking areas, access roads, trailheads, park space and associated improvements and appurtenant facilities located at or providing access to 120 Wallum Lake road in the town of Douglas.

(b)(1) The boat launch facility within the Governor Argeo Paul Cellucci Recreation Area designated pursuant to subsection (a), currently known as the Wallum Lake state boat launch, shall be designated and known as the Governor Argeo Paul Cellucci Boat Launch.

(2) The access road within the Governor Argeo Paul Cellucci Recreation Area, designated pursuant to subsection (a), currently known as Wallum Lake Park road, shall be designated and known as Governor Argeo Paul Cellucci Park road.

(3) The network of hiking and recreational trails within the Governor Argeo Paul Cellucci Recreation Area designated pursuant to subsection (a) shall be designated and known as the Governor Argeo Paul Cellucci Trail Network.

(c) The department of conservation and recreation shall erect and maintain suitable markers bearing the designations made in this section in accordance with the standards of the department.

SECTION 74B. The department of conservation and recreation shall erect and maintain 2 suitable markers in memory of 2 individuals. The markers shall be similar in form to plaques, shall be placed within Landry park in the city of Waltham and shall each include the names of former state representative Richard Landry for whom the park is named and Frederick "Fred" William Faugno, also known as "The Mayor of the Mill" because of his dedicated advocacy on behalf of his fellow residents in the adjacent Francil Cabot Lowell Mill apartment community and who was instrumental in getting the railing installed on the footbridge and the walkway at Landry park, to be placed as follows:

(i) at the entrance of the Landry park entrance in the city of Waltham, noting "In Memory of Former State Representative Richard Landry of Waltham, MA, for whom this park is named"; and

(ii) at the Landry park entrance in the city of Waltham, noting "In Memory of Frederick "Fred" William Faugno, also known as "The Mayor of the Mill" because of his dedicated advocacy on behalf of his fellow residents in the Francis Cabot Lowell Mill".

SECTION 74C. (a) There shall be a special commission on commonwealth port development to recommend an integrated statewide strategic vision for ports in the

commonwealth, including the designated port areas of: Gloucester Inner Harbor, Salem Harbor, the city of Lynn, Mystic river, Chelsea creek, the East Boston section of the city of Boston, the South Boston section of the city of Boston, Weymouth Fore river, New Bedford-Fairhaven, Fall River and Mount Hope bay. The commission shall identify industry-specific opportunities and needs, assess existing infrastructure with capacity and resources, evaluate environmental justice impacts and needs of host communities and develop recommendations to achieve stated priorities and goals.

(b) The commission shall prepare a report proposing an integrated statewide vision for the commonwealth's ports and recommendations to implement that vision. The report shall include an assessment for relevant industry sectors, which shall include but not be limited to: (i) commercial and recreational fishing; (ii) energy; (iii) shipping, bulk cargo and goods; (iv) transportation and tourism; (v) ocean technology and emerging markets; (vi) the cruise industry; and (vii) the seafood processing industry. For each industry sector, the report shall assess: (A) existing conditions; (B) industry needs; and (C) opportunities for growth, taking into account infrastructure, costs, limiting geographic constraints and workforce development needs. The commission shall also consider, for each industry sector, the existing conditions and potential for development in each designated port area to achieve the vision for growth. The commission shall identify and assess the cumulative social, economic and public health impacts of permissible land uses and water uses in designated port areas on host communities, including, but not limited to, restrictions on affordable housing opportunities and the development of open space. The commission shall consider the status of host communities as environmental justice communities and the environmental and economic impacts of adherence to designated port area regulations on host communities.

(c) The commission shall consist of: the secretary of economic development or their designee and the secretary of energy and environmental affairs or their designee, who shall serve as co-chairs; the chief executive officer of the Massachusetts Port Authority or their designee; and 19 members who shall be appointed by the governor, 11 of whom shall be representatives of each of the 11 designated port areas, 5 of whom shall be representatives of each water-dependent industry sector, including offshore wind supply chain operations and maintenance, and 3 of whom shall be representatives of community groups representing the north shore, Boston harbor and south coast regions; and 1 representative who shall represent organized labor and be a member of the international longshoreman's association.

(d) The commission shall consult with: the division of marine fisheries; the office of coastal zone management; the department of environmental protection; the Massachusetts clean energy center; the Massachusetts Bay Transportation Authority; the Massachusetts Development Finance Agency; the seaport economic council; the commercial fisheries commission; any municipality that is host to a designated port area but does not otherwise have a representative on the commission; and other entities representing stakeholder perspectives as determined by the commission.

(e) Not later than January 1, 2028, the commission shall file its report with the clerks of the house of representatives and the senate, the chairs of the joint committee on economic development and emerging technologies and the chairs of the house and senate committees on ways and means.

SECTION 75. Each agency acquiring land or an interest in land under this act may expend an amount not to exceed 5 per cent of the amount appropriated to that agency for the

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

SECTION 75A. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Composting sanitation facility", a composting toilet system or waterless waste management system, including any system manufactured by or substantially equivalent in design and function to those composting toilet systems certified under NSF/ANSI Standard 41, that processes human waste through aerobic biological decomposition without the use of water or connection to a municipal sewer system.

"Environmentally appropriate location", a site at which installation of a composting sanitation facility is technically feasible and ecologically beneficial, including but not limited to, locations: (i) adjacent to or within sensitive watersheds, wetlands, or vernal pool buffer zones; (ii) where septic system installation is constrained by soil percolation rates, depth to

groundwater, or lot size limitations; (iii) in designated Areas of Critical Environmental Concern; (iv) where water table contamination risk from conventional sanitation is elevated; or (v) where water conservation goals of the commonwealth would be advanced by waterless waste management.

(b) The department of conservation and recreation shall prioritize the installation of composting sanitation facilities at public restrooms and comfort stations located within lands and facilities under the department's care, custody, and control, where such installation is determined to be environmentally appropriate pursuant to subsection (c).

(c)(1) Not later than January 1, 2028, the department shall conduct a comprehensive assessment of all public restroom and comfort station facilities under its jurisdiction and shall identify locations that qualify as environmentally appropriate for the installation of clivus sanitation facilities.

(2) The assessment shall consider:

(i) the proximity of the facility to sensitive environmental resources, including surface waters, wetlands, and public drinking water supplies;

(ii) the existing sanitation infrastructure and its adequacy, age, and environmental performance;

(iii) the feasibility and cost-effectiveness of clivus sanitation installation relative to conventional alternatives over a 20-year lifecycle;

(iv) the volume of public use and seasonal visitation patterns;

(v) consistency with any applicable master plan, watershed protection plan, or resource management plan; and

(vi) input from the department of environmental protection and the division of ecological restoration.

(d) The department shall, in prioritizing installations under this section:

(i) give first priority to facilities in areas of critical environmental concern, as designated by the secretary of energy and environmental affairs;

(ii) give second priority to facilities in drinking water supply watersheds and aquifer recharge areas;

(iii) give third priority to facilities in coastal and inland wetland buffer zones; and

(iv) thereafter prioritize facilities where the existing sanitation infrastructure has reached the end of its useful life or where conventional replacement would require significant capital expenditure.

(e) The department shall develop and implement a maintenance and operations protocol for all composting sanitation facilities under its jurisdiction, which shall include:

(i) a schedule for routine inspection and maintenance;

(ii) training standards for department staff responsible for the operation of such facilities;

(iii) performance metrics to assess the environmental effectiveness and public health compliance of each facility; and

(iv) procedures for the lawful removal and beneficial use or disposal of composted end-product material in accordance with regulations promulgated by the department of environmental protection.

(f) Not later than July 1, 2028, the department shall file a report with the clerks of the senate and house of representatives, the joint committee on environment, natural resources and agriculture and the secretary of energy and environmental affairs, detailing:

(i) the number and location of composting sanitation facilities installed during the preceding fiscal year;

(ii) the number of facilities identified as candidates for future installation;

(iii) maintenance activities performed and any compliance findings;

(iv) estimated water savings attributable to facilities installed pursuant to this section; and

(v) any recommendations for statutory or regulatory changes to advance the purposes of this section.

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

(b) The commission shall examine existing statutory and regulatory requirements that slow or prohibit the permitting and construction of climate resilient projects on public and private urban coastal properties in the commonwealth, including, but not limited to, neighborhoods impacted by flood pathways. The commission shall consider cost and time constraints associated with securing the required permits to protect coastal communities, properties and infrastructure from flooding and sea level rise. The commission shall review and

reconcile the need to protect coastal communities, properties and infrastructure from flooding and sea level rise in the context of: (i) economic viability; (ii) human health; (iii) the protection of infrastructure, homes, businesses, designated port areas, coastal wetlands and marine ecosystems; and (iv) the costs and benefits associated with any proposed changes to streamline permitting, including municipal harbor plans. The commission shall create proposals to expedite and streamline permitting for coastal resilience projects in districts that span across public and private properties.

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

(d) Not later than June 9, 2027, the commission shall submit a report of its findings, together with recommendations for any legislation, to the governor, the clerks of the house of

representatives and the senate, the chairs of the joint committee on economic development and emerging technologies, the chairs of the joint committee on environment and natural resources and the chairs of the house and senate committees on ways and means concerning: (i) statewide permitting reforms to enable climate resilience projects on urban coastal properties, including, but not limited to, district scale projects that create continuous lines of protection and regional projects that cross municipal boundaries; and (ii) the adoption and alignment of state and local permitting processes necessary to enable climate resilience projects on urban coastal properties, including, but not limited to, statutory and regulatory provisions to promote and allow district scale projects that create continuous lines of defense and regional projects that cross municipal boundaries.

SECTION 76A. (a) The executive office of energy and environmental affairs shall establish and administer a pilot program for research activities and demonstration projects for nature-based solutions, as defined in section 1 of chapter 21N of the General Laws. The program shall: (i) define categories of nature-based solutions and develop standards for their use; (ii) coordinate, streamline and expedite the permitting and review process for activities and projects; and (iii) prioritize activities and projects that advance scientific knowledge, provide conservation benefits and minimize impacts to existing wetlands. The secretary of energy and environmental affairs and the commissioners or directors of permitting agencies may modify specific performance standards for nature-based solutions.

(b) The pilot program shall operate for 5 years beginning on the effective date of this act. Not later than 1 year from the effective date of this act, and annually thereafter, the secretary of energy and environmental affairs shall file a report with the clerks of the house of representatives and the senate and the joint committee on environment and natural resources that shall: (i) detail

the categories of nature-based solutions; (ii) analyze the approval time for all permits required for each approved research activity or demonstration project; (iii) specify any specific performance standards modified for each approved research activity or project; and (iv) provide data about the effectiveness of each approved research activity or project.

SECTION 76B. (a) There shall be a special commission to study water conservation and reuse. The commission shall examine how implementing water reuse requirements in the commonwealth would affect construction costs, consumer savings, water conservation and public health.

(b) The commission shall consist of: the commissioner of conservation and recreation, or a designee, who shall serve as co-chair; the commissioner of environmental protection, or a designee, who shall serve as co-chair; 6 members who shall be appointed by the governor, 2 of whom shall be municipal or local utility members; 2 members appointed by the commissioner of public health of whom shall be representatives from the department of public health; 2 members appointed by Home Builders and Remodelers Association of Massachusetts, Inc.; 2 members appointed by Associated General Contractors of Massachusetts, Inc.; 2 members appointed by the Boston chapter of the American Society of Plumbing Engineers; 2 members appointed by Boston Society of Civil Engineers Section of the American Society of Civil Engineers; 2 members of representatives of labor associated with the Massachusetts plumbing industry; 2 members appointed by Plumbing-Heating-Cooling Contractors of Massachusetts, Inc.; 2 members appointed by Greater Boston Plumbing Contractors Association, Inc.; 1 member of the board of state examiners of plumbers and gas fitters; 1 member of the International Association of Plumbing and Mechanical Officials; and the executive director of the Massachusetts Rivers Alliance, Inc., or a designee.

(c) The commission shall research the potential benefits of expanding water reuse and conservation efforts in both residential and nonresidential construction applications which shall include, but shall not be limited to, greywater, rainwater and stormwater collection and reuse opportunities.

(d) Not later than July 1, 2027, the commission shall file a report, including any plans and recommendations for consideration, to the clerks of the house of representatives and senate.

SECTION 76C. (a) The executive office of energy and environmental affairs shall, in consultation with the executive office for administration and finance, issue a report and make recommendations on financial solutions for climate and clean energy innovations in the public, private and non-profit sectors throughout the commonwealth and in line with achieving the commonwealth's greenhouse gas emissions limits and sub-limits pursuant to chapter 21N.

(b) The report shall include, but shall not be limited to: (i) an evaluation of a climate bank to provide financial products including loan refinancing, loan guarantees, credit enhancements, debt securitization, insurance, portfolio insurance and other forms of financial support, technical assistance or risk management to qualified climate and clean energy innovations; (ii) financial strategies to reduce adverse economic effects from transitioning to clean energy; (iii) job creation possibilities through the construction and operation of climate and clean energy innovations; (iv) methods to foster the development and consistent application of transparent underwriting standards, standard contractual terms and measurement and verification protocols for qualified climate and clean energy innovations; (v) methods to facilitate climate resilience in disadvantaged and low-income communities; and (vi) methods to promote climate resilience in rural and coastal communities.

(c) Not later than January 1, 2027, the executive office of energy and environmental affairs shall submit a report of its findings and any recommendations for legislation to the clerks of the house of representatives and the senate, the joint committee on financial services and the house and senate committees on ways and means.

SECTION 76D. (a) There shall be established a task force to conduct a comprehensive study on the most effective and efficient means of implementing a cistern program across the commonwealth. The task force shall study: (i) the costs of a cistern program; (ii) alternatives for developing water storage cisterns for areas of the commonwealth with insufficient water supplies for fire suppression; and (iii) prioritization of cistern locations at the urban-wildland interface and in rural communities where water resources for use by the fire service to combat fires are limited.

(b) The task force shall consist of the following 9 members: the state fire marshal or a designee, who shall serve as chair; the director of the Massachusetts emergency management agency or a designee; the commissioner of the department of environmental protection or a designee; 1 member of the board of Building standards and regulations; the chief fire warden of the department of conservation and recreation; a representative from the Fire Chiefs Association of Massachusetts; 1 rural firefighter from a community lacking adequate water supply to be appointed by the Massachusetts Call/Volunteer Firefighters Association; and 2 non-voting advisory members, 1 of whom shall be appointed by the speaker of the house of representatives and 1 of whom shall be appointed by the president of the senate.

(c) The study shall include, but shall not be limited to: (i) input and recommendations from the appropriate municipal representatives from communities with documented water access

challenges for fire suppression; (ii) an evaluation of the optimal placement of cisterns based on fire risk and water access; (iii) ensuring that any cistern deployment strategy shall be based on data-driven decision-making and informed by industry best practices and codes and standards set for in NFPA 1141 and NFPA 1142; (iv) opportunities for cistern alternatives, including dry hydrants and related infrastructure; and (v) the cost for the construction, installation and maintenance of 10 water storage cisterns, dry hydrants and related water infrastructure per year, at the wildland-urban interface and rural and urban communities throughout the commonwealth.

(d) The task force shall report on its activities and on any findings and recommendations for a statewide firefighting cistern program, including, but not limited to: (i) identification of priority areas for installation; (ii) potential costs and funding sources; and (iii) regulatory or legislative changes necessary to facilitate implementation. Not later than December 31, 2027, the task force shall submit its report to the secretary of the executive office of public safety and security; joint committee on public safety and homeland security; and the clerks of the house of representatives and the senate.

SECTION 76E. The Massachusetts Department of Transportation shall review and issue a report on existing roadway lighting and lighting operational costs. The report shall include a review of standards and other criteria for roadway lighting and an analysis of lighting operational costs; a review of roadway lighting's impact on human health, human safety, and environmental impact; actions taken by the department to comply with current standards; procedures and accepted best practices relative to roadway lighting; and recommendations for reducing lighting operational costs through the replacement of existing high-wattage, unshielded fixtures with lower-wattage, fully shielded fixtures and the replacement of unnecessary roadway lighting with the installation of passive safety measures. The Massachusetts Department of Transportation

shall issue its report to the department of energy resources and the clerks of senate and the house of representatives not later than January 1, 2027.

SECTION 77. Notwithstanding any general or special law to the contrary, the unexpended and unencumbered balances of the bond-funded authorizations in the following accounts shall cease to be available for expenditure 180 days after the effective date of this act: 2500-7024, 2850-9951, 2840-8963, 2850-6967, 2820-1420, 2840-7993, 2800-2012, 2800-2013, 2800-2014, 2800-2019, 2820-2011, 2820-2012, 2840-2013, 2840-2014, 2840-2018, 2840-2019, 2840-2023, 2890-2023, 2890-2040, 2800-7013, 2800-7018, 2800-7016, 2800-7011, 2800-7012, 2800-7015, 2800-7017, 2800-7019, 2800-7022, 2800-7097, 2800-7098, 2840-7014, 2840-7017, 2890-7010, 2890-7011, 2810-7872, 2810-8802, 2800-7035, 2800-7031, 2800-7108, 2840-7026, 2840-7027, 6720-1336, 2840-7024, 2890-7035, 2800-7020, 9300-3909, 9300-7909, 9300-7010, 2000-6966, 2000-6967, 2000-6969, 2000-2010, 2000-2011, 2000-2012, 2000-2014, 2000-2015, 2000-2016, 2000-2018, 2000-2019, 2000-2020, 2000-2021, 2000-2022, 2000-2023, 2000-2024, 2000-2025, 2000-2026, 2000-2017, 2000-2035, 2000-2028, 2000-2029, 2000-7013, 2000-7014, 2000-7015, 2000-7016, 2000-7018, 2000-7023, 2000-7024, 2000-7025, 2000-7052, 2000-7054, 2000-7057, 2000-7056, 2000-7051, 2000-7029, 2000-7053, 2000-7070, 2000-7028, 2000-7031, 2000-7055, 2000-7059, 2000-7062, 2000-7063, 2000-7135, 2000-7081, 2240-8820, 2250-8820, 2250-8822, 2200-7991, 2200-2011, 2200-2012, 2200-2013, 2200-2014, 2200-2015, 2200-2016, 2200-2017, 2200-2018, 2200-2019, 2200-7011, 2200-7013, 2200-7017, 2200-7018, 2200-7020, 2200-7025, 2300-2010, 2300-2011, 2300-2012, 2300-2014, 2300-2016, 2300-2017, 2300-7018, 2300-7010, 2300-7011, 2300-7015, 2300-7016, 2300-7020, 2300-7021, 2300-7025

SECTION 78. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out sections 2 to 2D, inclusive, the state treasurer shall, upon

receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, $2,543,457,500. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face “An Act to Build Resilience for Massachusetts Communities” and shall be issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall be payable not later than June 30, 2052. All interest and payments on account of principal on such obligations shall be payable from the General Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

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

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

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

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

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

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

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

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

SECTION 85A. Not later than January 1, 2027, the department of public utilities shall, subject to its ratemaking authority, develop a rate for unmetered roadway or parking-lot lighting fixtures that utilize less than 25 watts of electricity that is reflective of the actual cost of service for fixtures of that wattage.

SECTION 85B. Not later than August 1, 2027, the department, in consultation with the Massachusetts Department of Transportation and the executive office of public safety and security, shall promulgate regulations governing the use of state or municipal funds.

SECTION 85C. (a) Initial plans for mattress stewardship programs under subsection (c) of section 32 of chapter 21A of the General Laws, inserted by section 11A, shall be submitted to the department of environmental protection not later than 1 year after the effective date of this act.

(b) A stewardship organization shall implement a mattress stewardship program as described in an initial plan submitted pursuant to subsection (c) of said section 32 of said chapter

21A not later than 1 year after the date that the initial plan is approved by the department of environmental protection.

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

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

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

SECTION 88A. Sections 22A, 22B, 22C and 22D shall take effect for tax years beginning on or after January 1, 2027.

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