

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:—

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

8 SECTION 2.

9 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

10 *Department of Conservation and Recreation*

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

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

29 2800-7024 For a forestry and tree planting program for projects throughout the
30 commonwealth including, but not limited to, the evaluation and planning of forestry and tree
31 planting projects, tree stock, planting and associated costs; provided, that the secretary of energy
32 and environmental affairs shall grant priority to the planting of trees that are in areas: (i)
33 experiencing heat island effects; (ii) underserved with tree cover; (iii) with disadvantaged
34 populations; (iv) affected by severe weather events or insect infestation; (v) where aquifers,
35 recharge areas, wells, reservoirs and other water bodies are located that will improve and protect
36 water quality as part of a natural ecosystem; and (vi) that will further climate change mitigation,

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

45 2800-7026 For the: (i) design, construction, maintenance, repair, removal and
46 improvements of state-owned or abandoned dams identified by the office of dam safety,
47 including improvements to the aquatic habitat, inland flood control projects and projects for
48 related facilities and equipment; (ii) design, construction, maintenance, repair or improvement of
49 the department of conservation and recreation’s coastal and marine infrastructure and coastal
50 ecological resources including, but not limited to, shore protection, docks, piers, culverts,
51 beaches, dunes and salt marshes; and (iii) navigational and ecological performance of the
52 commonwealth’s tidal and nontidal waterways; provided, that the department of conservation
53 and recreation shall give priority to dams and flood control projects that pose the greatest risk to
54 public health or safety, or to the environment; provided further, that the secretary of energy and
55 environmental affairs may provide guidance for planning, prioritizing, selecting and
56 implementing projects in furtherance of the goals of the state hazard mitigation and climate
57 change adaptation plan.....\$308,100,000

58 2840-7028 For the study, planning, permitting, design, construction, reconstruction,
59 repair, removal, demolition, improvement, furnishing, equipping or rehabilitating of department

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

83 2890-7036 For the study, planning, permitting, design, engineering, construction,
84 reconstruction, repair, improvement or rehabilitation of department of conservation and
85 recreation roadway, bridge and path of travel related infrastructure including, but not limited to,
86 parkways, boulevards, multi-use trails, roads within state parks, transportation infrastructure,
87 recreational trails, pedestrian bridges and related appurtenances and equipment; provided, that
88 funds may be expended for pedestrian and bicycle safety, traffic calming, landscape
89 improvements, street lighting, safety equipment and accessibility; provided further, that all work
90 funded by this item shall be carried out according to standards developed by the department
91 pursuant to historic parkways preservation treatment guidelines to protect the scenic and historic
92 integrity of the bridges and parkways under its control; and provided further, that the secretary of
93 energy and environmental affairs may provide guidance for planning, prioritization, selection
94 and implementation of projects in furtherance of the state hazard mitigation and climate change
95 adaptation plan and in support of disadvantaged populations.....\$176,670,000

96 SECTION 2A.

97 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

98 *Department of Environmental Protection*

99 2200-7026 For the assessment, containment, monitoring, cleanup, control, public
100 participation, removal of or response actions concerning oil or hazardous materials or for any
101 other action necessary to implement chapter 21E of the General Laws and the Massachusetts
102 Contingency Plan established pursuant to said chapter 21E.....\$42,000,000

103 2200-7027 For capital investments in air, water and land resource protection, climate
104 adaptation and decarbonization and ensuring access to clean water and air including, but not

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

117 2200-7028 For the assessment, containment, monitoring, cleanup and closure of
118 existing or closed solid waste facilities causing or threatening to cause pollution pursuant to
119 section 4 of chapter 21H of the General Laws and for capital expenditures associated with
120 composting, recycling and waste reduction programs consistent with the comprehensive
121 statewide master plan for solid waste disposal established pursuant to section 21 of chapter 16 of
122 the General Laws.....\$28,100,000

123 2200-7029 For investments in clean water and drinking water infrastructure by the
124 department of environmental protection to address per- and polyfluoroalkyl substance (PFAS)
125 contamination of public water supplies, private wells or imminent hazard conditions pursuant to
126 section 3A of chapter 21E of the General Laws including, but not limited to, planning,
127 construction, replacement, repair or modernization of infrastructure that enhances ground and

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

133 2200-7031 For grants to support municipal flood risk protection programs; provided,
134 that priority may be given to flood control projects that pose the greatest risk to public health or
135 safety, or to the environment; provided further, that starting December 31, 2026, the department
136 of environmental protection shall submit semi-annual reports to the house and senate committees
137 on ways and means on: (i) the total number of grants issued; (ii) the amounts granted to each
138 municipality; (iii) the types of flood mitigation programs the grants support; and (iv) the number
139 of grant applications.....\$75,000,000

140 SECTION 2B.

141 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

142 *Department of Fish and Game*

143 2300-0422 For the acquisition of land and interests in land by the department of fish
144 and game and for associated costs including, but not limited to, planning, studies, due diligence,
145 title and appraisal services, site restoration and stewardship; provided, that such lands may be
146 purchased after approval by the commissioner of fish and game; provided further, that funds may
147 be expended on the development and implementation of a capital stewardship program on lands
148 under the care and control of the department of fish and game and its divisions; provided further,
149 that funds may be used for restoration, repair and reclamation of acquired land including, but not

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

155 2300-7019 For planning, design, engineering, construction, reconstruction,
156 renovation, repair, demolition, acquisition, enhancements, improvements, removal and
157 replacement of the infrastructure, facilities and equipment under the care and control of the
158 department of fish and game and its divisions including, but not limited to, buildings and other
159 structures, education centers, district headquarters, hatchery facilities, offices, storage buildings,
160 shooting ranges, archery facilities, dams, laboratories, equipment, vehicles, vessels and site
161 clearance; provided, that funds may be used to: (i) incorporate energy efficiency and renewable
162 technologies; (ii) decrease energy use and greenhouse gas emissions; (iii) increase climate
163 resiliency; or (iv) enhance accessibility; and provided further, that funds may be used for
164 implementation of projects in furtherance of the statewide hazard mitigation and climate
165 adaptation plan.....\$15,000,000

166 2300-7030 For the rehabilitation, reconstruction, modernization and decarbonization
167 of the department of fish and game’s division of fisheries and wildlife Charles L. McLaughlin
168 Fish Hatchery in the town of Belchertown including, but not limited to, new construction, repair
169 and rehabilitation of buildings and grounds.....\$20,000,000

170 2300-7031 For ecological restoration capital programs and projects at the department
171 of fish and game’s division of ecological restoration; provided, that funds from this item may be

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

183 2300-7032 For the planning, engineering, design, construction, acquisition,
184 development and reconstruction of existing and new coastal and inland access sites identified by
185 the department of fish and game’s office of fishing and boating access including, but not limited
186 to, boat launching facilities, commercial fishing facilities, fishermen boat access facilities, car-
187 top boat launching facilities, canoe and kayak access facilities, sport fishing piers and shore
188 fishing areas including, but not limited to, ramps, docks, floats and appurtenant facilities
189 throughout the commonwealth; provided, that funds may be used on enhancements to
190 accessibility, construction of signage and informational kiosks and the implementation of coastal
191 projects developed jointly with the director of the Marine Recreational Fisheries Development
192 Fund established in section 35NN of chapter 10 of the General Laws in consultation with the
193 marine recreational fisheries development panel established in section 17C of chapter 130 of the
194 General Laws....\$10,000,000

195 2300-7033 For marine fisheries resource conservation and restoration and capital
196 support of local commercial and recreational fisheries, which may include but shall not be
197 limited to fish and habitat restoration, hard bottom habitat enhancement, vessels, vehicles and
198 equipment; provided, that projects may be carried out in cooperation with public and nonpublic
199 entities, tribal governments and other management agencies; and provided further, that the
200 department may award grants to public and nonpublic entities and tribal governments to carry
201 out this item.....\$5,000,000

202 2300-7034 For the planning and implementation of capital projects and programs at
203 the department of fish and game and its divisions in furtherance of Executive Order no. 618
204 entitled “Biodiversity Conservation in Massachusetts”, which shall include but not be limited to
205 a local biodiversity capital grant program to support community-led biodiversity efforts;
206 provided, that the projects and programs may be carried out in cooperation with public and
207 nonpublic entities, tribal governments and other management agencies including, but not limited
208 to, other state agencies, municipalities, regional planning agencies and nonprofit organizations;
209 and provided further, that the department and its divisions may award grants to public and
210 nonpublic entities, tribal governments and other management agencies including, but not limited
211 to municipalities, regional planning agencies and nonprofit organizations, to carry out this
212 item.....\$20,000,000

213 SECTION 2C.

214 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

215 *Office of the Secretary*

216 2000-7067 For improvements and replacements to the infrastructure and holdings of
217 the executive office of energy and environmental affairs and its departments and divisions and
218 for capital assets and improvements to infrastructure and holdings that support the mission of the
219 executive office of energy and environmental affairs; provided, that this may include, but shall
220 not be limited to, buildings, equipment and vehicles; provided further, that investments may
221 support the development and implementation of capital projects that support the integrated state
222 hazard mitigation and climate adaptation plan; provided further, that the secretary of energy and
223 environmental affairs may grant priority to critical actions and strategies identified in the plan;
224 provided further, that the secretary of energy and environmental affairs may provide guidance for
225 the planning, prioritization, selection and implementation of projects in furtherance of the goals
226 of climate change mitigation and adaptation and consistent with the integrated state hazard
227 mitigation and climate adaptation plan; provided further, that funds may support development of
228 outdoor recreation sites and facilities and infrastructure; provided further, that funds may be
229 awarded to public and nonpublic entities including, but not limited to, tribal governments,
230 municipalities, regional planning agencies and nonprofit organizations, or expended directly by
231 the executive office of energy and environmental affairs and its departments and divisions;
232 provided further, that grant funds may be used for planning, engineering, design, acquisition,
233 permitting, construction, repair and renovation; and provided further, that grants shall be
234 awarded in a manner that promotes accessibility, supports geographic equity and supports
235 disadvantaged populations.....\$73,000,000

236 2000-7068 For a tree planting greening program for projects on publicly-owned land
237 or on private lands with the consent of the owner and subject to appropriate covenants that shall
238 assure the continued presence and effectiveness of the commonwealth’s investment including,

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

255 2000-7069 To establish within the executive office of energy and environmental
256 affairs a grant and loan program to be run in consultation with the department of energy
257 resources, the Massachusetts clean energy technology center, the Governor's Office of Climate
258 Innovation and Resilience, the executive office of housing and livable communities, the
259 Massachusetts School Building Authority, the executive office of economic development, the
260 Massachusetts Housing Partnership fund board and the Massachusetts Development Finance
261 Agency, and the funds shall be expended for costs associated with the renovation of existing

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

283 2000-7078 For the MassTrails program and other capital improvements to the
284 commonwealth's trails; provided, that funds may be used for the planning, engineering, design,

285 permitting, construction, repair, technical assistance and improvement of trails and the
286 acquisition of property interests for trail purposes; provided further, that not less than
287 \$10,000,000 shall be expended for the design and construction of accessible trails for people
288 with disabilities including, but not limited, to upgrades in accordance with guidelines from the
289 United States Forest Service and the United States Access Board’s accessibility standards for
290 federal outdoor developed areas; provided further, that funds may be granted at the discretion of
291 the secretary of energy and environmental affairs to public and nonpublic entities, including
292 municipalities, regional planning agencies and nonprofit organizations, or expended directly by
293 the executive office of energy and environmental affairs and its departments and divisions;
294 provided further, that trails are to be broadly defined to include water, recreational, multi-use,
295 motorized use by recreational and snow vehicles, trails designed to enhance accessibility and
296 may be paved, improved, natural surface or on-road for limited distances when necessary to
297 make key connections; provided further, that any project funded from this item shall be open to
298 the public; provided further, that wherever practicable, property interests acquired shall be
299 permanently conserved such that the trail thereon is permanently accessible to the public but may
300 be subject to long-term leases where necessary to advance trail projects; and provided further,
301 that a match from the funding recipient, which may include in-kind match, may be required at
302 the discretion of the secretary of energy and environmental affairs; and provided further, that
303 funds may be used to construct, repair or improve kayak and canoe launches, including signage
304 of “put-ins”, at public rivers, ponds, and lakes under the care and control of the
305 department.....\$76,000,000

306 2000-7082 For grant programs related to and investments in: (i) land, soil, water and
307 natural resource conservation, open space preservation and other capital expenditures that

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

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

341 2000-7083 For the design, construction, acquisition, reconstruction, rehabilitation,
342 retrofitting, repair or removal of coastal infrastructure and resilience measures including, but not
343 limited to, seawalls, jetties, revetments, retaining walls, port infrastructure, beach nourishment,
344 living shorelines, coastal lands and other nature-based solutions, which shall mean strategies that
345 conserve, restore and employ the natural resources of the commonwealth to enhance climate
346 adaptation, build resilience and support mitigation; provided, that costs payable from this item
347 may include, but shall not be limited to, the costs of engineering and other technical assistance
348 and planning services essential to these projects rendered by the office of coastal zone
349 management in the executive office of energy and environmental affairs, the office of waterways
350 in the department of conservation and recreation and other commonwealth employees or
351 consultants; provided further, that grants and loans may be made to local government units to
352 carry out this item; provided further, that grants may also be awarded to nonpublic entities for
353 approved projects funded herein; provided further, that funds may be used on lands held by

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

367 2000-7086 For the design, construction, reconstruction, rehabilitation, retrofitting,
368 repair or removal of municipally owned dams, publicly owned dams and other dams for which
369 emergency action or hazard mitigation is required and for inland flood control projects and
370 projects for related facilities and equipment including, but not limited to, seawalls, jetties,
371 revetments, retaining walls, beach nourishment and other nature-based solutions on publicly
372 owned land or related to state or municipal climate change adaptation and preparedness or for
373 which emergency action or hazard mitigation is required; provided, that the secretary of energy
374 and environmental affairs shall give priority to dams and flood control projects that pose the
375 greatest risk to public health or safety or to the environment; provided further, that funds shall be
376 available for a program of planning, permitting and construction of fish ways and other aquatic

377 habitat improvements, including the removal or breaching of selected dams and impoundments
378 on state-owned land and waterways; provided further, that funds may be used to provide grants
379 to public and charitable organizations to carry out this item; provided further, that funds under
380 this item shall be subject to the provisions of subsection (c) of section 2111 of chapter 29 of the
381 General Laws; provided further, however, that said subsection (c) of said section 2111 of said
382 chapter 29 shall not apply to a grant for the design of a dam project and that any grant for the
383 construction, reconstruction, rehabilitation, retrofitting, repair or removal of a dam may be
384 awarded to a public or charitable organization only where such public or charitable organization
385 either: (1) holds a clear and sufficient property interest in the land and structures comprising the
386 project; or (2) holds a letter of support or non-opposition to the project signed by the chief
387 executive officer of the municipality, as defined by section 7 of chapter 4 of the General Laws, in
388 which the project is located; and provided further that the secretary may provide guidance for
389 planning, prioritization, selection and implementation of projects in furtherance of the goals of
390 climate change mitigation and adaptation and consistent with the integrated state hazard
391 mitigation and climate change adaptation plan; provided further, that priority consideration may
392 be given to projects supported by the municipality hosting the asset to be repaired or removed
393 and those municipalities that lie within 1 mile of the water's edge of the impoundment; and
394 provided further that the executive office of energy and environmental affairs shall encourage
395 applicants to consult with the municipality hosting the asset to be repaired or removed, including
396 requiring applicants to notify the municipality with details of the project at least 30 days in
397 advance of submitting a funding application.....\$93,500,000

398 2000-7087 For the acquisition of land and interests in land by the executive office of
399 energy and environmental affairs and for associated costs including, but not limited to, planning,

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

416 2000-7088 For the municipal vulnerability preparedness grant program to support and
417 provide technical assistance for the political subdivisions of the commonwealth including, but
418 not limited to, cities, towns, counties and districts, tribal governments, regional planning
419 agencies, nonprofit organizations, or any authority, commission, board or instrumentality
420 thereof, to complete climate-related vulnerability assessments, develop equitable, action-oriented
421 resiliency plans and complete integrated climate change adaptation plans and local hazard
422 mitigation plans and to implement local and regional adaptation solutions identified through such

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

436 2000-7089 For local environmental, recreational, resiliency and preservation projects;
437 provided, that not less than \$400,000 shall be expended to the Merrimack River Watershed
438 Council, Inc. for a regional approach to reducing combined sewer overflows and non-point
439 source pollution in the Merrimack River; provided further, that not less than \$500,000 shall be
440 expended to the Town of Hingham for coastal resilience along the Hingham Harbor; provided
441 further, that not less than \$500,000 shall be expended to the town of Cohasset for the Towns of
442 Cohasset and Scituate to implement restoration projects in the Gulf River Estuary; provided
443 further, that not less than \$50,000 shall be expended to the Hull Lifesaving Museum for the
444 installation of a ramp at the Windmill Point Boathouse; provided further, that not less than
445 \$40,000 shall be expended to the North and South Rivers Watershed Association for the North

446 River Commission's enforcement of the North River Protective Order; provided further, that not
447 less than \$250,000 shall be expended to the town of Uxbridge for the Kempton Road and East
448 Street water project, including, but not limited to, the design, permitting and construction of a
449 replacement booster pump station and associated infrastructure to address long-standing
450 hydraulic issues, improve water pressure and ensure the delivery of high-quality municipal water
451 to residents; provided further, that not less than \$250,000 shall be expended to the town of
452 Uxbridge for the repair, rehabilitation and fortification of the Hecla street bridge over the West
453 river, including the construction of a bridge slab to span the existing stone arch to mitigate
454 structural degradation, address its status as a scour critical structure and restore full weight-
455 bearing capacity for emergency apparatus and public travel; provided further, that not less than
456 \$250,000 shall be expended to the town of Bellingham for the design, permitting and
457 construction of flood mitigation and drainage improvements within the Arnold Brook watershed,
458 which shall include, but not be limited to: (i) the replacement of the Lizotte drive culvert with a
459 larger span structure to alleviate hydraulic restrictions; (ii) the extension of the closed drainage
460 system along Dalmor road, Lizotte drive, Newland avenue, Prairie street, Edgewood road and
461 Morin drive; (iii) the expansion of storage capacity and retrofit of the Fox Run basin; and (iv) the
462 creation of a swale between Whitehall way and Fox Run to divert stormwater flow away from
463 residential properties; provided further, that not less than \$500,000 shall be expended to The
464 Walden Woods Project for the purchase of a conservation restriction from the town of Concord
465 for a 35-acre municipal site bordering Walden Pond State Reservation; provided further, that not
466 less than \$200,000 shall be expended to the town of Shrewsbury to provide for the planning,
467 identification, development and implementation of sustainable pocket parks and public green
468 spaces on school properties and municipal land, incorporating native, low-maintenance and

469 pollinator-friendly plantings that support climate resilience, biodiversity, environmental
470 education and community recreation and use; provided further, that not less than \$7,000,000
471 shall be expended for the department of conservation and recreation to create a public-private
472 partnership to implement a public marina at the dock located between the Steriti memorial
473 skating rink and the Prince street park on Commercial street in the North End section of the city
474 of Boston; provided further, that not less than \$75,000 shall be expended for improvements to
475 the parking area and drainage at the C-5 state police barracks; provided further, that not less than
476 \$200,000 shall be expended to purchase and install an emergency communications system in the
477 town of Palmer; provided further, that not less than \$250,000 shall be expended to the town of
478 Lanesborough for the Pontoosuc Lake; provided further, that not less than \$300,000 shall be
479 expended for infrastructure improvements for the Adirondack Farm in the Southeastern
480 Massachusetts Bioreserve in Fall River; provided further, that not less than \$1,000,000 shall be
481 expended to the town of Plymouth for the restoration of Cotton Brook Cranberry Bog; provided
482 further, that not less than \$1,000,000 shall be expended to the town of Plymouth for the Water
483 Street/Town Wharf Seawalls; provided further, that not less than \$200,000 shall be expended to
484 the town of Cheshire for weed eradication in Cheshire Lake; provided further, that not less than
485 \$350,000 shall be expended to the town of Adams for the establishment of an environmental
486 center at Greylock Glen; provided further, that not less than \$500,00 shall be expended for tree
487 planting, watering, maintenance, associated activities and improvements in Medford; provided
488 further, that not less than \$2,000,000 shall be expended for improvements to establish a
489 resilience hub at the Dorothy T. Hegner Center in Medford; provided further, that not less than
490 \$500,000 shall be expended for the cleanup, assessment, remediation or redevelopment of the
491 former Lunt Silversmiths site on Federal Street in the City of Greenfield; provided further, that

492 not less than \$500,000 shall be expended for improvements and development of the Bidwell
493 Property and Rabbit Run in the town of Athol; provided further, that not less than \$500,000 shall
494 be expended for improvements and development of the riverside along the Millers River in the
495 Town of Orange; provided further, that not less than \$7,500,000 shall be expended to the Pioneer
496 Valley Planning Commission for the communities of Holyoke, Springfield and Chicopee and for
497 the purpose of designing and permitting combined sewer overflow remediation projects in those
498 communities; provided further, that not less than \$500,000 shall be expended to the city of
499 Taunton for improvements to the Assawompsett Dam and auxiliary spillway, including
500 embankment regrading, spillway rehabilitation, erosion protection, installation of automated
501 water control systems and related infrastructure improvements to enhance drinking water
502 reliability, reduce flood risk, improve water quality and support aquatic habitat restoration;
503 provided further, that not less than \$500,000 shall be expended to construct a water line from the
504 Town of Hull to Georges Island; provided further, that not less than \$1,000,000 shall be
505 expended to the Boston Housing Authority to advance retrofit and modernization projects at
506 Pasciucco Apartments in Dorchester; provided further, that not less than \$1,000,000 shall be
507 expended on programs to promote urban agriculture and hydroponics; provided further, that not
508 less than \$250,000 shall be expended for the removal of hazardous trees in the town of Sutton;
509 provided further, that not less than \$2,000,000 shall be expended to the Boston Housing
510 Authority to advance a retrofit project at Commonwealth Development/Fidelis Way and 91-95
511 Washington Street in Boston; provided further, that not less than \$250,000 shall be expended for
512 the removal of hazardous trees in the town of Douglas; provided further, that not less than
513 \$400,000 shall be expended to the North and South Rivers Watershed Association for purposes
514 including but not limited to permitting and early phases of construction related to the removal of

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

538 locally sourced, sustainable seafood and related learning opportunities; provided further, that not
539 less than \$1,000,000 shall be expended for improvements to Alder Brook and the George Aggott
540 Culvert in the Town of Needham; provided further, that not less than \$17,000 shall be expended
541 for the Town of Dover to conduct an analysis for the location of the Town's replacement fuel
542 system; provided further, that not less than \$1,750,000 shall be expended for resiliency efforts at
543 the Boston Nature Center in the Mattapan neighborhood of the City of Boston; provided further,
544 that not less than \$250,000 shall be expended to the city of Revere for the expansion and
545 improvement of Gibson Park, including the redevelopment of the former boatyard property,
546 demolition, site preparation, public open space improvements, shoreline access enhancements
547 and the establishment of a community boating center; provided further, that not less than
548 \$500,000 shall be expended by the department of conservation and recreation for a climate
549 resilience, flood mitigation, and dredging feasibility study of the Charles River between the
550 Galen Street Bridge and the Arsenal Street Bridge and said study shall include sediment
551 characterization, hydrologic and hydraulic analysis, environmental review, permitting
552 requirements, engineering assessments, cost estimates, water quality impacts, habitat restoration
553 opportunities and recommendations for dredging and long-term sediment management to
554 improve flood storage capacity, ecological health, climate resilience and public access along the
555 Charles River; provided further, that not less than \$2,000,000 shall be expended to the Boston
556 Housing Authority to advance a retrofit project at Pasciucco Apartments in Dorchester; provided
557 further, that not less than \$1,000,000 shall be expended to the city of Revere for the planning,
558 engineering, design and development of wastewater conveyance and related infrastructure
559 improvements, including preliminary design and environmental review activities, to support
560 regional wastewater capacity, economic development and redevelopment initiatives; provided

561 further, that not less than \$320,000 shall be expended to the North and South Rivers Watershed
562 Association for the planning, design, permitting and construction of public river access
563 infrastructure, including a dock, boat ramp, parking and related improvements associated with
564 their river center access project in the town of Pembroke; provided further, that not less than
565 \$500,000 shall be expended to the city of Chelsea to support environmental justice work;
566 provided further, that not less than \$250,000 shall be expended to the city of Chelsea for
567 improvements to the trail system and wetlands ecosystem along Mill Creek; provided further,
568 that not less than \$1,000,000 shall be expended to the city of Boston for modernization and
569 energy improvements at Groveland Apartments in Mattapan; provided further, that not less than
570 \$10,000,000 shall be expended to the Boston Housing Authority to reduce emissions, improve
571 resiliency and enhance open space at the Doris Bunte Apartments in Roxbury; provided further,
572 that not less than \$1,000,000 shall be expended to the Hyde Square Task Force for the
573 reconstruction, modernization and decarbonization of their Blessed Sacrament campus in
574 Jamaica Plain, which may include, but not be limited to, roof replacement, masonry repair and
575 installation of a modern HVAC system; provided further, that not less than \$1,000,000 shall be
576 expended to the Boston Housing Authority for urban agriculture and open space improvements
577 at Gallivan Apartments in Mattapan; provided further, that not less than \$1,000,000 shall be
578 expended for a retrofit project at Franklin Fields Apartments in Dorchester; provided further, that
579 not less than \$2,000,000 shall be expended to the city of Pittsfield to update Wahconah Park's
580 stormwater management system; provided further, that not less than \$150,000 shall be expended
581 to the Gladys Allen Brigham Community Center for pre-construction costs of a climate-resilient
582 critical access road to Camp Stevenson-Witawentin; provided further, that not less than \$500,000
583 shall be expended to the city of Winthrop for the renovation, rehabilitation or building of

584 seawalls within its municipal limits; provided further, that not less than \$928,000 shall be
585 expended to the town of Lexington for culvert, outfall and debris management improvements on
586 the Winthrop Road Culvert, John Poulter Road and Vine Brook Road; provided further, that not
587 less than \$1,500,000 shall be expended to the city of Chicopee’s Department of Public Works for
588 the renovation of municipal parks and recreational facilities; provided further, that not less than
589 \$5,000,000 shall be expended to the Boston Children’s Museum for climate resiliency and
590 preservation projects; provided further, that not less than \$855,000 shall be expended to the city
591 of Chicopee’s department of public works for critical maintenance and emergency operations;
592 provided further, that not less than \$1,000,000 shall be expended to the city of Chicopee’s
593 department of public works to replace, repair and improve sewage pumping stations; provided
594 further, that not less than \$4,500,000 shall be expended to the Stone Living Lab to study boulder
595 fields as a coastal resilience approach on the Boston Harbor Islands and Boston waterfront;
596 provided further, that not less than \$100,000 shall be expended to the Blackstone Watershed
597 Collaborative for improvements to four access points on the Blackstone River and a feasibility
598 study on access to the river at the Worcester department of conservation and recreation visitor
599 center; provided further, that not less than \$2,000,000 shall be expended to the Boston Housing
600 Authority for infrastructure and resiliency at the West Broadway Apartments, Foley Apartments
601 and West 9th Street Apartments in South Boston; provided further, that not less than
602 \$10,000,000 shall be expended to the Boston Housing Authority for climate adaptation,
603 resiliency and sustainability investments in the Ausonia Apartments located in the North End
604 neighborhood in the city of Boston; provided further, that not less than \$3,500,000 shall be
605 expended to replace, improve and repair docks, piers and moorings on Spectacle Island, Georges
606 Island and Peddocks Island; provided further, that not less than \$1,500,000 shall be expended to

607 Boston Harbor Now, Inc. to develop a climate resilience plan for the Boston Harbor Islands;
608 provided further, that not less than \$25,000 shall be expended to Appleton Field Community
609 Garden in the town of Scituate for community gardening, food access, local agriculture
610 education, environmental stewardship and sustainable food production; provided further, that not
611 less than \$2,500,000 shall be expended to the city of Boston for improvements to baseball fields
612 as part of the Moakley park renovation project in South Boston; provided further, that not less
613 than \$640,000 shall be expended for the removal and remediation of underground fuel lines and
614 storage tanks on Cathleen Stone Island; provided further, that not less than \$1,000,000 shall be
615 expended to the Boston Housing Authority for energy improvements at the Bellflower
616 Apartments in Boston; provided further, that not less than \$1,000,000 shall be expended to the
617 department of conservation and recreation to improve water quality at Cochituate state park in
618 Natick; provided further, that not less than \$5,000,000 shall be expended for resiliency
619 improvements at the Everett Docklands project; provided further, that not less than \$500,000
620 shall be expended to the town of Natick for improvements to its public parks; provided further,
621 that not less than \$500,000 shall be expended to the town of Wayland for improvements to its
622 public parks; provided further, that not less than \$600,000 shall be expended to the town of
623 Wilbraham to construct a sidewalk on Stony Hill road; provided further, that not less than
624 \$190,000 shall be expended to Boston Harbor Now, Inc. to create elevation and reliance design
625 standards for the Boston Harborwalk; provided further, that not less than \$1,000,000 shall be
626 expended to the Boston Housing Authority for energy and quality improvements at Washington
627 Manor, Hampton House, and Frederick Douglass Apartments in Boston; provided further, that
628 not less than \$2,000,000 shall be expended to the Boston Housing Authority for modernization
629 and energy improvements at the Spring Street Apartments; provided further, that not less than

630 \$1,000,000 shall be expended to the city of Worcester for accessibility improvements on Sprague
631 Trail at Broadmeadow Brook Wildlife Sanctuary; provided further, that not less than \$2,000,000
632 shall be expended to the Massachusetts Food Trust program established in section 65 of chapter
633 23A of the General Laws; provided further, that not less than \$549,000 shall be expended to the
634 city of Easthampton for the replacement of its existing pump station at its wastewater treatment
635 plant; provided further, that not less than \$2,000,000 shall be expended for the feasibility, design
636 and permitting of a trail along the VFW parkway/ Providence highway corridor from West
637 Roxbury into Dedham; provided further, that not less than \$75,000 shall be expended to the city
638 of Easthampton to replace obsolete wastewater treatment pumps; provided further, that not less
639 than \$300,000 shall be expended to the city of Easthampton for unsound concrete repairs at its
640 wastewater treatment plant; provided further, that not less than \$100,000 shall be expended to the
641 city of Easthampton for a feasibility study of locations for unsound concrete repairs at its
642 wastewater treatment plant; provided further, that not less than \$5,000 shall be expended to the
643 town of Scituate for the maintenance, improvement and preservation of the public trail
644 connecting Old Forge road and Pineview drive; provided further, that not less than \$600,000
645 shall be expended to the town of Milton for a multiuse trail at Houghton pond's recreation area
646 within the Blue Hills Reservation; provided further, that not less than \$2,000,000 shall be
647 expended to the town of Avon for a sewer project at the Avon Industrial Park; provided further,
648 that not less than \$75,000 shall be expended to the town of Wareham for water quality
649 improvements and ecological restoration at Agawam Mill pond; provided further, that not less
650 than \$1,000,000 shall be expended to the city of Malden for extreme heat mitigation through
651 shade shelters, hydration and misting stations and the removal of impervious surfaces; provided
652 further, that not less than \$200,000 shall be expended to the town of West Newbury for the River

653 Road Climate Vulnerability and Resiliency project; provided further, that not less than
654 \$1,000,000 shall be expended to the city of Lawrence to create the Tower Hill Waterfront park;
655 provided further, that not less than \$500,000 shall be expended to the town of Groveland for the
656 Johnson Creek Dam project; provided further, that not less than \$200,000 shall be expended to
657 the city of Malden for tree planting and forestry initiatives to provide protections from extreme
658 heat; provided further, that not less than \$500,000 shall be expended to the town of Boxford for
659 the replacement of the Pye Brook Culvert; provided further, that not less than \$1,000,000 shall
660 be expended to GreenRoots to support public access to the Chelsea Creek waterfront; provided
661 further, that not less than \$1,000,000 shall be expended to the city of Melrose for improvements
662 and the restoration of the Ell pond wetlands; provided further, that not less than \$1,000,000 shall
663 be expended to the city of Melrose for stormwater management improvements at Franklin Field
664 and abutting Melrose Housing Authority property; provided further, that not less than \$650,000
665 shall be expended to the town of Belchertown to work in collaboration with Kestrel Land Trust,
666 Inc. and other private conservation groups to permanently conserve and increase public
667 recreational access to forested land in the West Quabbin region; provided further, that not less
668 than \$410,000 shall be expended to the town of Shutesbury to work in collaboration with Kestrel
669 Land Trust, Inc. and other private conservation groups to permanently conserve and increase
670 public recreational access to forested land in the West Quabbin region; provided further, that not
671 less than \$100,000 shall be expended to the town of Pelham to work in collaboration with
672 Kestrel Land Trust, Inc. and other private conservation groups to permanently conserve and
673 increase public recreational access to forested land in the West Quabbin region; provided further,
674 that not less than \$750,000 shall be expended to the city of Newburyport for the reconstruction
675 and elevation of the Lower Artichoke Reservoir Dam; provided further, that not less than

676 \$750,000 shall be expended to the town of Merrimac for upgrades to the Merrimack Sewage
677 Treatment Plant; provided further, that not less than \$250,000 shall be expended to city of
678 Amesbury for the restoration of the Powwow river between the municipal drinking water intake
679 weir and Lake Gardner; provided further, that not less than \$1,000,000 shall be expended to the
680 city of Cambridge for pathway accessibility improvements between Magazine beach and the
681 Anderson Memorial bridge; provided further, that not less than \$500,000 shall be expended to
682 the city of Taunton for the implementation of infrastructure improvements at Watson Pond State
683 park; provided further, that not less than \$5,000,000 shall be expended to the city of Boston for
684 resiliency efforts at Tenean beach; provided further, that not less than \$500,000 shall be
685 expended to the Friends of Sholan Farms, Inc. for improvements at Sholan Farms in the city of
686 Leominster; provided further, that not less than \$500,000 shall be expended to the city of
687 Leominster for the repair of flood damage to Slack brook on Exchange street; provided further,
688 that not less than \$1,000,000 shall be expended to the Woods Hole Oceanographic Institution for
689 costs associated with coastal resiliency projects within the town of Falmouth; provided further,
690 that not less than \$500,000 shall be expended to the town of Nantucket for costs associated with
691 coastal resiliency projects in the areas of Easy street, Washington street, and other areas of
692 critical concern within the town of Nantucket; provided further, that not less than \$250,000 shall
693 be expended to the town of West Tisbury for costs associated with improvements to or
694 replacement of the bridge located at State road and Mill brook; provided further, that not less
695 than \$100,000 shall be expended to the Norwell conservation commission for the planning,
696 design, construction and establishment of a fish ladder at Jacobs pond in the town of Norwell;
697 provided further, that not less than \$500,000 shall be expended to the town of Charlton for
698 wastewater treatment plant improvements; provided further, that not less than \$2,000,000 shall

699 be expended to the city of Quincy for dredging and pre-dredging activities in Quincy bay and
700 beach restoration in the Merrymount section of the city of Quincy; provided further, that not less
701 than \$500,000 shall be expended to the town of Dudley for waterline construction and road
702 improvements for PFAS mitigation; provided further, that not less than \$1,000,000 shall be
703 expended to the town of Kingston for work associated with the Maple Street dam and culvert;
704 provided further, that not less than \$750,000 shall be expended to the town of Nahant for the
705 repair and stabilization of the Willow Road revetment; provided further, that not less than
706 \$1,000,000 shall be expended to the city of Lowell for the replacement of the culvert on
707 Stockbridge avenue; provided further, that not less than \$1,000,000 shall be expended to the city
708 of Woburn for a constructed wetland, stream and floodplain restoration, and accessible trails at
709 Shaker Glen; provided further, that not less than \$180,000 shall be expended to the Centerville,
710 Osterville, Marston's Mills Fire District for PFAS pilot testing; provided further, that not less
711 than \$1,000,000 shall be provided to The Home for Little Wanderers, Inc. for the purpose of
712 upgrading safe drinking water infrastructure at its Plymouth campus; provided further, that not
713 less than \$2,000,000 shall be expended to the city of Woburn for wetland, stream and floodplain
714 restoration, and accessible trails at Hurld park; provided further, that not less than \$500,000 shall
715 be expended to the town of Kingston and the town of Falmouth to support marine-based
716 community-led biodiversity efforts; provided further, that not less than \$1,000,000 shall be
717 expended to the city of Fitchburg to install new drainage infrastructure to eliminate combined
718 sewer overflow in the Cleghorn area; provided further, that not less than \$250,000 shall be
719 expended to InnSure to conduct an insurability study of manufactured and modular homes in
720 southeastern Massachusetts; provided further, that not less than \$500,000 shall be expended to
721 the city of Lowell for Merrimack river embankment erosion repair at the Vandenberg esplanade;

722 provided further, that not less than \$100,000 shall be expended to the town of Kingston for the
723 purpose of acquiring conservation land; provided further, that not less than \$25,000 shall be
724 expended to the city of Lowell for the development of a trail connection linking land owned by
725 the city of Lowell in the Pawtucketville section of the city to the Lowell-Dracut-Tyngsboro state
726 forest to expand recreational access and connectivity; provided further, that not less than
727 \$1,000,000 shall be expended to the town of Westport for the replacement, repairs, and upgrades
728 to culverts within the town; provided further, that not less than \$10,000,000 shall be expended to
729 Courageous Sailing Center for Youth, Inc. for planning, demolition, and reconstruction of Pier 5
730 in the Charlestown section of the city of Boston; provided further, that not less than \$1,000,000
731 shall be expended to the city of Fitchburg for the restoration of the upper and lower Sand Brook
732 culvert; provided further, that not less than \$550,000 shall be expended to the town of Pembroke
733 for the Park street culvert replacement; provided further, that not less than \$300,000 shall be
734 expended to the city of Fitchburg to upsize and improve resiliency to the culvert at Coggs Hall
735 park; provided further, that not less than \$250,000 shall be expended to the town of Webster for
736 a whole-lake treatment of invasive aquatic weeds on Lake
737 Chargoggagoggmanchauggagoggchaubunagungamaugg; provided further, that not less than
738 \$1,000,000 shall be expended to the department of conservation and recreation for the
739 rehabilitation of the town line Brook Tide Gates to reduce inland flood risk; provided further,
740 that not less than \$1,000,000 shall be expended to the town of Saugus for the design and
741 construction of the next phase of the Saugus RiverWalk; provided further, that not less than
742 \$1,000,000 shall be expended to the town of Saugus for a Regional Saugus River Floodgate;
743 provided further, that not less than \$1,000,000 shall be expended to the city of Boston for the
744 redesign, study, permitting, and engineering of Savin Hill Beach Reservation in the Dorchester

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

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

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

814 infrastructure; provided further, that not less than \$1,000,000 shall be expended to the Prince
815 Hall Grand Lodge for removal of oil barrels and property infrastructure stabilization; provided
816 further, that not less than \$16,000,000 shall be expended to the city of Boston for resiliency
817 projects in the East Boston neighborhood in the city of Boston, including but not limited to the
818 Border street, Lewis street, and Porzio park projects; provided further, that not less than
819 \$300,000 shall be expended for pedestrian improvements and ecological restoration along
820 Greenough boulevard between Gerry's Landing road in the City of Cambridge and Grove street
821 in the city of Watertown; provided further, that not less than \$300,000 shall be authorized and
822 expended for surface maintenance and ecological restoration along the Watertown Cambridge
823 greenway in the city of Watertown; provided further, that not less than \$1,000,000 shall be
824 expended to the town of Marblehead for the Marblehead Municipal Shipyards Infrastructure
825 Improvements Project; provided further, that not less than \$1,000,000 shall be expended for
826 repairs, maintenance, and capital projects including, but not limited to, upgrades to information
827 technology equipment at the department of conservation and recreation Devine Memorial rink in
828 the Dorchester section of the city of Boston; provided further, that not less than \$500,000 shall
829 be expended to the town of Swampscott for coastal resilience planning, design, and infrastructure
830 improvements; provided further, that not less than \$1,000,000 shall be expended for resiliency
831 projects and infrastructure improvements at Belle Isle Marsh Reservation; provided further, that
832 not less than \$750,000 shall be expended to Southcoast Health for stormwater mitigation
833 planning and implementation at St. Luke's Hospital to comply with New Bedford stormwater
834 mitigation processes; provided further, that not less than \$1,000,000 shall be expended for
835 resiliency projects and infrastructure improvements at Constitution beach in the East Boston
836 section of the City of Boston; provided further, that not less than \$3,000,000 shall be expended

837 to the city of New Bedford for critical repairs to the Buttonwood Dam for ecological restoration;
838 provided further, that not less than \$600,000 shall be expended to the town of Carlisle for the
839 replacement of roof-top HVAC units with all electric air-source heat pumps at the Carlisle public
840 school complex and Carlisle town hall; provided further, that not less than \$25,000 shall be
841 expended for the purchase of turnout gear for the fire department in the town of Rehoboth;
842 provided further, that not less than \$5,000,000 shall be expended to the Boston Housing
843 Authority to reduce emissions and improve resiliency at the General Warren Apartments located
844 in the Charlestown section of the city of Boston; provided further, that not less than \$2,000,000
845 shall be expended to the New Bedford Redevelopment Authority to acquire underutilized
846 properties and connect nearby neighborhoods to the river; provided further, that not less than
847 \$25,000 shall be expended for the purchase of turnout gear for the fire department in the town of
848 Norton; provided further, that not less than \$25,000 shall be expended for the purchase of turnout
849 gear for the fire department in the town of Swansea; provided further, that not less than \$25,000
850 shall be expended for the purchase of turnout gear for the fire department in the town of
851 Seekonk; provided further, that not less than \$500,000 shall be expended for tree planting,
852 watering, and maintenance and associated activities and improvements in the town of Arlington;
853 provided further, that not less than \$1,000,000 shall be expended for coastal access
854 improvements and heat resilient waterfront park space at the Terminal street public boat ramp in
855 the Charlestown section of the City of Boston; provided further, that not less than \$2,500,000
856 shall be expended to enhance and make improvements to the visitor centers on Spectacle Island
857 and Georges Island; provided further that not less than \$1,000,000 shall be expended to the city
858 of Boston for improvement to public open spaces at the Little Mystic Channel park in the
859 Charlestown section of the city of Boston; provided further, that not less than \$2,500,000 shall be

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

883 Merrimack river, the Spicket river, and the Greater Lawrence Sanitary District system; provided
884 further, that not less than \$1,000,000 shall be expended for the design, permitting, construction,
885 vegetation management, and maintenance of the Brook Farm historic site in the West Roxbury
886 section of the city of Boston; provided further, that not less than \$500,000 shall be expended to
887 the town of Raynham for the replacement of the Pine Street Culvert; provided further, that not
888 less than \$500,000 shall be expended to the Town of Bridgewater for water and sewer
889 improvements; provided further, that not less than \$200,000 shall be expended toward the
890 installation of an industrial-scale, river source heat pump of no less than 20MW by a district
891 energy system servicing the city of Boston and Cambridge, resulting in a dramatic reduction of
892 greenhouse gas emissions for the Commonwealth; provided further, that not less than \$500,000
893 shall be expended to the city of Worcester for the building of a splash pad at Winslow and
894 Pleasant Peace park; provided further, that not less than \$100,000 shall be expended to the town
895 of Raynham for repairs to the Johnson Pond Dam; provided further, that not less than \$1,500,000
896 shall be expended for the environmental cleanup and stabilization of the historic property located
897 at 12 North Main street in the town of Westford; provided further, that not less than \$100,000
898 shall be expended to the city of Worcester for the maintenance of Winslow and Pleasant Peace
899 park; provided further, that not less than \$250,000 shall be expended to the town of Pepperell for
900 the upgrade of two culverts to meet state standards; provided further, that not less than
901 \$1,000,000 shall be expended to the town of Tewksbury for the replacement of culverts;
902 provided further, that not less than \$1,000,000 shall be expended to the town of Wilmington for
903 the replacement of culverts; provided further that not less than \$500,000 shall be expended for
904 coastal resiliency and flood mitigation efforts; provided further, that not less than \$750,000 shall
905 be expended to the town of Concord for the design and construction of a culvert replacement at

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

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

952 city of Boston for the repair, maintenance and improvement of the historic boathouse located at
953 Jamaica pond; provided further, that not less than \$100,000 shall be expended to the city of
954 Boston for a comprehensive assessment of environmental conditions at Jamaica pond and
955 Olmsted park; provided further, that the assessment may include, but shall not be limited to, an
956 analysis of tree loss, erosion, the spreading of invasive plants and an analysis of water quality;
957 provided further, that not less than \$50,000 shall be expended to the town of Hamilton for a
958 study of Chebacco lake and its watershed; provided further, that not less than \$2,000,000 shall be
959 expended to the city of Haverhill to address the environmental remediation and cleanup of the
960 Stevens street mill fire; provided further, that not less than \$100,000 shall be expended for
961 access, safety, signage and facility improvements to Clarke park at Martin's pond in the town of
962 North Reading; provided further, that not less than \$1,000,000 shall be expended to the city of
963 Worcester for the remediation of the brownfield site at Bennett field in the city of Worcester for
964 conversion into use as public park land; provided further, that not less than \$250,000 shall be
965 expended for facility improvements to Ipswich river park in the town of North Reading; provided
966 further, that not less than \$500,000 shall be expended to the town of Leicester for the
967 development and implementation of a comprehensive invasive species management plan within
968 the French river watershed and throughout the town of Leicester; provided further, that not less
969 than \$5,000,000 shall be expended to the Boston housing authority for modernization, resiliency
970 and sustainability of the Fairmount housing development located in the Hyde Park neighborhood
971 in the city of Boston; provided further, that not less than \$50,000 shall be expended for the Willis
972 Woods Trails Development project in the town of Lynnfield; provided further, that not less than
973 \$500,000 shall be expended to the city of Worcester to address heat islands and the mitigation of
974 cyanobacteria in public parks and blue spaces within the Green Island and Main South

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

998 effort to reduce the town’s carbon emissions; provided further, that not less than \$250,000 shall
999 be expended to the city known as the town of Weymouth police marine unit; provided further,
1000 that not less than \$1,000,000 shall be expended for an environmental assessment and clean-up of
1001 the site of the new German Gerena school in the city of Springfield; provided further, that not
1002 less than \$262,000 shall be expended for the Downtown Main Street LED replacement lighting
1003 pilot project around HOPE Center for the Arts in the city of Springfield to reduce cost and
1004 reduce energy; provided further, that not less than \$200,000 shall be expended for the
1005 environmental clean-up of the bike path from the North End to the South End of the city of
1006 Springfield and for bike path motion solar lighting throughout; provided further, that not less
1007 than \$1,000,000 shall be expended for an academic medical center in the city of Springfield to
1008 assist with capital costs associated with life, safety and environmental improvements related to
1009 the acquisition of a community hospital in the city of Springfield; provided further, that eligible
1010 costs shall include, but not be limited to, the demolition and mitigation of degraded facilities, the
1011 remediation of environmental and hazardous materials and other costs associated with
1012 contaminated site improvements; provided further, that not less than \$500,000 shall be expended
1013 to the division of capital asset management and maintenance for study, design, accessibility
1014 improvements and preservation of natural land, recreation areas and waterfront among 166 acres
1015 alongside Reservoir pond in the town of Canton for the use of patients and students at Pappas
1016 Rehabilitation Hospital for Children and for safe, accessible recreation and rehabilitation
1017 activities in a natural setting; provided further, that not less than \$1,000,000 shall be expended
1018 for the design, permitting and construction of a water main interconnection between the town of
1019 Westport and the town of Dartmouth to ensure water supply resiliency and redundancy for the
1020 South Coast region; provided further, that said project shall include the installation of necessary

1021 piping and booster stations to facilitate the transfer of potable water between the 2
1022 municipalities; provided further, that not less than \$3,000,000 shall be expended for a joint grant
1023 program dedicated to the city of Cambridge and the city of Somerville for the design,
1024 engineering, permitting and construction of comprehensive sewer separation infrastructure;
1025 provided further, that not less than \$150,000 shall be expended to the town of Topsfield to
1026 mitigate emerging contaminants in the town's water supply; provided further, that not less than
1027 \$150,000 shall be expended for PFAS remediation along the Ipswich river in the town of
1028 Middleton; provided further, that not less than \$100,000 shall be expended to the town of
1029 Danvers for the creation of pedestrian access to the town of Danvers' waterways and for the
1030 assessment of climate impacts on those waterways; provided further, that not less than \$250,000
1031 shall be expended to the town of North Andover for the reconstruction of the Mill pond outlet
1032 structure; provided further, that such funds shall be utilized exclusively for projects aimed at
1033 minimizing and ultimately eliminating combined sewer overflows into the Alewife brook;
1034 provided further, that the administering agency shall prioritize expedited review and distribution
1035 of these funds to mitigate public health risks and environmental degradation within the Alewife
1036 brook watershed; provided further, that not less than \$1,000,000 shall be expended to the city of
1037 Gloucester for wastewater treatment plant improvements to improve effluent discharge quality;
1038 provided further, that not less than \$250,000 shall be expended to the town of Townsend for
1039 Highland street culvert replacement project; provided further, that not less than \$500,000 shall be
1040 expended to establish a North Shore water equity conservation and demand management
1041 consortium to improve water supply resilience and accommodate growth while protecting natural
1042 resources in the Parker, Ipswich and Essex watersheds, whose activities may include, water
1043 equity, conservation, feasibility studies for wastewater reuse and other resiliency measures;

1044 provided further, that not less than \$150,000 shall be expended to the town of Rockport for the
1045 planning, design and construction of repairs to Granite pier; provided further, that not less than
1046 \$250,000 shall be expended for the restoration and improvements of the Sam Wright field
1047 floodplain and wetland restoration area in the town of Easton; provided further, that not less than
1048 \$850,000 shall be expended to the town of Stoneham for improvements of the Tri-Community
1049 Greenway in the town of Stoneham; provided further, that not less than \$1,000,000 shall be
1050 expended to the city of Beverly for coastal resilience projects at Lynch park, Obear park and
1051 along the Bass river; provided further, that not less than \$250,000 shall be expended for wetlands
1052 conservation and nature education programs at Camp Paradise in the city of Beverly; provided
1053 further, that not less than \$2,500,000 shall be expended to the town of Freetown for
1054 infrastructure projects to provide safe drinking water, address PFAS contamination concerns and
1055 protect public health and the environment; provided further, that not less than \$2,000,000 shall
1056 be expended to the city of Chelsea in coordination with the city of Everett for construction of the
1057 Island End River Flood Resilience Project to protect this critical industrial district from
1058 catastrophic flooding; provided further, that not less than \$100,000 shall be expended to the city
1059 of Newton for enhanced water quality and other improvements to Crystal lake in Newton Center;
1060 provided further, that not less than \$277,285 shall be expended for the modernization of the
1061 infrastructure and amenities of Burncoat park in the town of Leicester; provided further, that not
1062 less than \$250,000 shall be expended for the design, engineering and construction of
1063 comprehensive improvements to Rochdale park in the town of Leicester; provided further, that
1064 not less than \$120,000 shall be expended for a feasibility-level study to evaluate the potential
1065 removal of the hazardous Greenville pond dam in the town of Leicester; provided further, that
1066 not less than \$75,000 shall be expended to the town of Auburn for costs associated with the

1067 treatment, removal and control of invasive aquatic vegetation; provided further, that not less than
1068 \$50,000 shall be expended for the Northern Middlesex Council of Governments, Corporation to
1069 evaluate and assess the feasibility of a Massachusetts Bay Transportation Authority commuter
1070 rail stop in North Chelmsford; provided further, that not less than \$751,938 shall be expended to
1071 the town of Winchester for heating, ventilation and air conditioning upgrades and improvements
1072 in Winchester public schools; provided further, that not less than \$100,000 shall be expended to
1073 OpenCape Corporation for a district municipal network resilience overlay to strengthen
1074 communication continuity during storms, outages and other infrastructure disruptions; provided
1075 further, that not less than \$250,000 shall be expended to the town of Acton for the replacement
1076 of the North Main street culvert over Nashoba brook and other related expenses; provided
1077 further, that not less than \$4,000,000 shall be expended to the city of Worcester to upgrade the
1078 Lake avenue sewer pumping station and improve its resiliency; provided further, that not less
1079 than \$500,000 shall be expended for tree planting, watering and maintenance, and associated
1080 activities and improvements in the town of Belmont; provided further, that not less than
1081 \$125,000 shall be expended to the town of Harvard for the design and construction of the
1082 Eldridge road culvert and other related expenses; provided further, that not less than \$250,000
1083 shall be expended to the town of Boxborough for the replacement of the Guggins brook culvert
1084 at Liberty Square road and other related expenses; provided further, that not less than \$50,000
1085 shall be expended for the Massachusetts Department of Transportation to evaluate and assess the
1086 feasibility of the installation of sound barriers on the southbound side of route 3, between mile
1087 marker 8.0-8.4, in North Chelmsford; provided further, that not less than \$250,000 shall be
1088 expended to the town of Shirley for the replacement of the Horsepond road culvert and other
1089 related expenses; provided further, that not less than \$300,000 shall be expended to the town of

1090 Stoneham for improvements to Recreation park in the town of Stoneham; provided further, that
1091 not less than \$250,000 shall be expended for essential repairs to the eroding Waterfront park
1092 seawall and damaged municipal parking lot in the town of Somerset; provided further, that not
1093 less than \$500,000 shall be expended to the town of Easton for the Easton Industrial Park sewer
1094 project; provided further, that not less than \$100,000 shall be expended for the implementation of
1095 cost-effective measures identified to improve water quality and environmental health in Mill
1096 pond in the town of Orleans, including planning, permitting, construction, maintenance and
1097 monitoring activities; provided further, that such funds may be used for aquaculture, permeable
1098 reactive barriers and other nutrient reduction, wastewater treatment and water quality
1099 improvement measures approved by the department of environmental protection as part of a
1100 comprehensive wastewater management plan; provided further, that not less than \$150,000 shall
1101 be expended to the town of Shirley for the replacement of the Walker road culvert, and other
1102 related expenses; provided further, that not less than \$1,000,000 shall be expended for a dredging
1103 program within the executive office of economic development for coastal navigation, port
1104 infrastructure, commercial fishing access, coastal resilience and the beneficial reuse of dredged
1105 materials; provided further, that funds made available for such program may be expended for
1106 grants or contracts with municipalities, port authorities and other eligible public or quasi-public
1107 entities for such purposes; provided further, that funds made available for such program may be
1108 expended over a period of 5 fiscal years; and provided further, that the executive office of
1109 economic development may issue guidelines for the administration of such program consistent
1110 with this item; provided further, that not less than \$1,000,000 shall be expended to the city of
1111 Worcester for the repair and improvement of the water main on Norton drive; provided further,
1112 that not less than \$600,000 shall be expended to the town of Winchester for the installation of

1113 electric vehicle charging stations for public and municipal use; provided further, that not less
1114 than \$100,000 shall be expended to the town of Southampton to further its Greenway
1115 development; provided further, that not less than \$2,000,000 shall be expended to the town of
1116 Lanesborough for the construction of a secondary drinking water source; provided further, that
1117 not less than \$5,000,000 shall be expended to restore the historic turbine halls of the former
1118 Edison Power Station located at 776 Summer street in the South Boston section of the city of
1119 Boston; provided further, that not less than \$1,000,000 shall be expended to the city of Worcester
1120 for water main improvements; provided further, that not less than \$15,000,000 shall be expended
1121 for enhanced coastal adaptation along the Reserve Channel at 776 Summer street in the South
1122 Boston section of the city of Boston, including but not limited to seawall replacement, elevated
1123 site grades, bioretention areas and open space, and other climate resiliency measures; provided
1124 further, that not less than \$15,000,000 shall be expended to support the preservation and reuse of
1125 Medfield State Hospital for new housing; provided further, that not less than \$250,000 shall be
1126 expended for stormwater management improvements in the city of Methuen, including at
1127 Schruender park, the Bloody Brook area and the Hawkes Brook area; provided further, that not
1128 less than \$2,000,000 shall be expended for environmental remediation, landscape restoration and
1129 facility improvements to the historic Edward F. Searles Estate in the city of Methuen; provided
1130 further, that not less than \$500,000 shall be expended to the town of West Bridgewater for the
1131 construction of a herring fish ladder at War Memorial Park; provided further, that not less than
1132 \$100,000 shall be expended for the engineering, design, assessment and repair planning deemed
1133 necessary by the department of conservation and recreation to support the rehabilitation and
1134 eventual replacement of the Scusset Beach State Fishing Pier located within Scusset Beach State
1135 Reservation in the town of Sandwich; provided further, that not less than \$10,000,000 shall be

1136 expended for the Massachusetts Port Authority for infrastructure investments in emission-
1137 reducing ship-to-shore power at Flynn Cruiseport in the South Boston section of the city of
1138 Boston; provided further, that not less than \$1,000,000 shall be expended for the enabling phase
1139 of demolition, utilities and site work for the El Centro Project; provided further, that not less than
1140 \$250,000 shall be expended for Hydraulic and Hydrologic Model in the city of Salem; provided
1141 further, that not less than \$100,000 shall be expended to the town of Granby for trail
1142 maintenance; provided further, that not less than \$100,000 shall be expended to the city known
1143 as the town of Amherst for trail maintenance; provided further, that not less than \$1,000,000
1144 shall be expended to the University of Massachusetts Amherst Water and Energy Technology
1145 Center; provided further, that not less than \$1,000,000 shall be expended to the Hitchcock Center
1146 for the Environment in the city known as the town of Amherst to support the purchase and use of
1147 property to support its mission and programs; provided further, that not less than \$500,000 shall
1148 be expended to the town of Westborough for environmental, recreational, resiliency and
1149 preservation projects, including the replacement of 3 bridges located within the Despres
1150 Conservation Area, the Bowman Conservation Area, and the Indian Pond Conservation Area,
1151 and other projects; provided further, that not less than \$500,000 shall be expended to the town of
1152 Northborough for environmental, recreational, resiliency and preservation projects; provided
1153 further, that not less than \$4,000,000 shall be expended to the town of Granby to support
1154 improvements to inland flood control infrastructure including, but not limited to, the Forge Pond
1155 Dam; provided further, that not less than \$500,000 shall be expended to the town of
1156 Southborough for environmental, recreational, resiliency and preservation projects, such as
1157 Southville road water main improvements, Atwood Tank Site remediation, Liberty Estates
1158 Neighborhood water main replacement, Northborough road culvert replacement project, and

1159 other projects; provided further, that not less than \$100,000 shall be expended to the tree warden
1160 in the city known as the town of Amherst for costs associated with tree planting and tree support;
1161 provided further, that not less than \$150,000 shall be expended to the city known as the town of
1162 Amherst to support a feasibility study for the creation of a community resilience hub; provided
1163 further, that not less than \$2,000,000 shall be expended for projects necessary for wastewater
1164 connections, transmission and treatment in the vicinity of Littleton Common and Route 119 in
1165 the town of Littleton; provided further, that not less than \$500,000 shall be expended to the Old
1166 Colony Planning Council for culvert assessment in the city of Brockton; provided further, that
1167 not less than \$500,000 shall be expended to the Old Colony Planning Council for regional
1168 resiliency plan; provided further, that not less than \$500,000 shall be expended to the Wildlands
1169 Trust in partnership with Old Colony Planning Council for improvements to DW Fields Park in
1170 the city of Brockton; provided further, that not less than \$1,000,000 shall be expended to the city
1171 of Worcester for costs associated with the annual seasonal drawdown of Indian Lake conducted
1172 for aquatic vegetation management, water quality improvement, sediment management,
1173 shoreline maintenance, ecological enhancement, flood resiliency, and the protection of public
1174 and private property; provided further, that not less than \$1,000,000 shall be expended to the city
1175 of Springfield for the city-wide dredging and lake and pond management; provided further, that
1176 not less than \$250,000 shall be expended for drainage improvements in the town of Holbrook;
1177 provided further, that not less than \$300,000 shall be expended to the Family Health Center of
1178 Worcester for the purposes of upgrading their building energy management system; provided
1179 further, that not less than \$200,000 shall be expended for Reedy Meadow flood control in
1180 conjunction with the town of Lynnfield and the Essex County Mosquito Control Commission;
1181 provided further, that not less than \$300,000 shall be expended to the town of Ludlow for pond

1182 management; provided further, that not less than \$1,300,000 shall be expended to the town of
1183 West Boylston for capital improvements to local sewer and wastewater infrastructure; provided
1184 further, that not less than \$2,000,000 shall be expended to the city of Holyoke for site
1185 preparation and environmental cleanup for a sports complex to house the Volleyball Hall of
1186 Fame and other local and national sport activities; provided further, that not less than \$300,000
1187 shall be expended to complete the permitting and design of the Watertown Dam Removal and
1188 Alternatives project to avoid dam failures and public safety hazards, restore river biodiversity,
1189 enhance water quality and improve migratory fish passage; provided further, that not less than
1190 \$250,000 shall be expended for surface and drainage improvements to increase resilience and
1191 prevent localized flooding on the Minuteman Commuter Bikeway in East Arlington; provided
1192 further, that not less than \$1,000,000 shall be expended to the Needham Housing Authority for
1193 the Linden Terrace project to support energy efficient and affordable senior housing; provided
1194 further, that not less than \$300,000 shall be expended for drainage improvements at Norton
1195 Circle in Belmont Cemetery in the town of Belmont; provided further, that not less than \$15,000
1196 shall be expended to the Keep Framingham Beautiful organization to support community clean-
1197 up efforts and environmental justice work; provided further, that not less than \$150,000 shall be
1198 expended to the Waltham Community Farm and Charles River Community Health, in
1199 partnership, for their VegRx Produce Prescription Program for food security and equitable
1200 access, connecting health care providers and patients with fresh, locally grown produce; provided
1201 further, that not less than \$463,500 shall be expended for solar array geothermal system support;
1202 provided further, that not less than \$200,000 shall be expended for a grant or contract with
1203 Barnstable county to support a regional assessment of dredging needs for the Cape Cod region,
1204 including consideration of navigation channel maintenance, coastal resilience and opportunities

1205 for dredged material reuse and beneficial reuse; provided further, that said assessment may
1206 include recommendations to inform future dredging, coastal infrastructure planning and sediment
1207 management strategies, and that the executive office of energy and environmental affairs may
1208 make such assessment available to relevant state agencies and stakeholders; provided further,
1209 that not less than \$500,000 shall be expended for an improvement project for the design and
1210 construction of Ryder Brook in Arlington to promote flood prevention and climate resiliency;
1211 provided further, that not less than \$2,000,000 shall be expended to the city of Worcester for
1212 upgrades and replacement of large diameter water mains servicing Chandler street, May street
1213 and Mann street; provided further, that not less than \$1,000,000 shall be expended for multi-use
1214 path, stormwater management and roadway safety improvements on Mystic Valley parkway in
1215 the town of Winchester, city of Medford and town of Arlington; provided further, that not less
1216 than \$200,000 shall be expended for stormwater infrastructure improvements in the Lake Street
1217 and Orvis Road neighborhood of Arlington; provided further, that not less than \$1,000,000 shall
1218 be expended to the city of Worcester for the upgrading of the Eastern Sewer Interceptor;
1219 provided further, that not less than \$3,000,000 shall be expended for the reconstruction and or
1220 demolition of the Hager Pond Dam in Marlborough, to prevent damage to Route 20 and the
1221 municipalities of Marlborough and Sudbury; provided further, that not less than \$1,000,000 shall
1222 be expended to the city of Worcester to support the rehabilitation and improvement of sewer
1223 pump stations; provided further, that not less than \$100,000 shall be expended to the department
1224 of conservation and recreation for planting, maintenance and preservation of trees in Hemlock
1225 Gorge Reservation in Newton; provided further, that not less than \$500,000 shall be expended to
1226 the city of Brockton to install alum treatment at the Monponsett Pond Diversion Station;
1227 provided further, that not less than \$50,000 shall be expended to the city of Newton to support

1228 food security and infrastructure preservation needs at the Spears Community Garden in at the
1229 corner of Washington street and Walnut Park Nonantum; and provided further, that not less than
1230 \$250,000 shall be expended to the city of Newton for flood mitigation and trail improvements
1231 along the Charles River at Quinobequin road.....\$419,693,723

1232 2030-1011 For the replacement and purchase of environmental law enforcement
1233 vehicles and maritime law enforcement patrol vessels and accompanying equipment; provided,
1234 that funds may be expended for equipment purchased in conjunction with the operation of the
1235 environmental law enforcement vehicle and vessel fleet including, but not limited to, mobile data
1236 terminals, installation of mounts and multi-band radios, search and rescue equipment, boat
1237 trailers, engines, lower units, remotely-operated vehicles, portable side scan sonar, navigation
1238 systems and communication radios.....\$9,000,000

1239 SECTION 2D.

1240 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

1241 *Massachusetts Department of Agricultural Resources*

1242 2500-7022 For capital programs designed to address agricultural economic and
1243 environmental sustainability and resiliency including, but not limited to, the development and
1244 implementation of farm viability plans and other technical and engineering assistance, urban
1245 agriculture and hydroponics, and to facilitate improvements to agricultural infrastructure, energy
1246 conservation and efficiency and climate change adaptation and resiliency; provided, that funds
1247 may be expended for infrastructure and equipment upgrades to prevent or reduce food safety
1248 risk, combat invasive and disease-borne insects and for capital programs to support aquaculture,
1249 anaerobic digesters and agricultural composters; provided further, that funds may be expended

1250 for capital projects that foster the adoption of sustainable farming practices that enhance
1251 resilience, reduce greenhouse gas emissions and promote environmental stewardship; provided
1252 further, that funds may be expended on programs that support the commonwealth’s farmland
1253 protection and access goals; provided further, that funds may be expended to provide grants,
1254 technical assistance and other support to farms, public and nonpublic entities and tribal
1255 governments to support the agricultural economy and to enable recovery from natural disasters,
1256 market disruptions and other financial challenges; and provided further, that funds may be
1257 allocated by the commissioner of agricultural resources through competitive grants pursuant to
1258 rules and regulations promulgated by the commissioner to implement this item.....\$26,000,000

1259 2511-0124 For food security grant programs to support equitable access to nutritious,
1260 local food and to strengthen food supply and distribution systems; provided, that programs may
1261 consider the unique needs of rural and urban areas and gateway municipalities as defined in
1262 section 3A of chapter 23A of the General Laws to provide greater access to local food; provided
1263 further, that programs may provide grants that support food banks and other parts of the food
1264 distribution system by expanding services; and provided further, that funds may be used to
1265 provide grants to public and nonpublic entities and tribal governments to carry out this item that
1266 may include, but shall not be limited to, farms, retailers, fisheries, food system businesses, food
1267 distributors, food processors, food banks, farm stands, food hubs, food retailers, elder services
1268 and community-supported agriculture farms.....\$150,000,000

1269 2511-0125 For a program to acquire land or interests in land for the purpose of
1270 preserving agricultural land, including agricultural preservation restrictions under sections 23 to
1271 26, inclusive, of chapter 20 of the General Laws; provided, that funds may be expended for
1272 associated acquisition and implementation costs including, but not limited to, grants, planning,

1273 due diligence, title examinations, appraisal services, site restoration and capital improvements on
1274 nonpublic lands subject to those agricultural preservation restrictions and on state-owned lands
1275 leased for agricultural purposes.....\$42,000,000

1276 SECTION 2E.

1277 OFFICE OF THE TREASURER AND RECEIVER GENERAL

1278 0640-1008 For the Massachusetts Clean Water Trust established in section 2 of
1279 chapter 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund
1280 established in section 2L of chapter 29 of the General Laws for application by the trust to the
1281 purposes specified in section 5 of said chapter 29C, any portion of which may be used as a
1282 matching grant by the commonwealth to federal capitalization grants received under Title VI of
1283 the Clean Water Act or for deposit in the Drinking Water Revolving Fund established in section
1284 2QQ of said chapter 29 for application by the trust to the purposes specified in section 18 of said
1285 chapter 29C, any portion of which may be used as a matching grant by the commonwealth to
1286 federal capitalization grants received under the Safe Drinking Water Act; provided, that funds
1287 may be used to assist homeowners in complying with 310 C.M.R. 15.00 for subsurface disposal
1288 of sanitary waste; and provided further, that funds may be used to assist with per-and
1289 polyfluoroalkyl substances (PFAS) contamination remediation.....\$385,000,000

1290 SECTION 2F.

1291 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

1292 *Office of the Secretary*

1293 1100-2524 For grants to cities, towns, tribal governments, regional organizations
1294 whose membership is exclusively composed of municipal governments, municipal
1295 redevelopment authorities or agencies and other state agencies or quasi-governmental agencies to
1296 support capital investments that support climate mitigation, adaption, resiliency and recovery
1297 efforts in the commonwealth; provided, that purposes may include, but shall not be limited to,
1298 planning and studies, preparation of plans and specifications, site assembly and preparation,
1299 dispositions, acquisitions, repairs, renovations, improvements, construction, demolition,
1300 remediation, modernization and reconstruction of facilities, infrastructure, equipment and other
1301 capital assets.....\$50,000,000

1302 SECTION 2G.

1303 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

1304 *Office of the Secretary*

1305 7004-0093 For the Massachusetts healthy homes program fund established in section
1306 34 of chapter 23B of the General Laws.....\$50,000,000

1307 7004-4785 For the Massachusetts Housing Finance Agency established in section 3 of
1308 chapter 708 of the acts of 1966 to capitalize a permanent, revolving Residential Production
1309 Momentum Fund for the purpose of accelerating the development of mixed-income and
1310 workforce multifamily housing production projects by providing financial assistance in the form
1311 of innovative, low-cost and flexible capital funding, which may be in the form of debt, equity or
1312 other instruments, depending on individual underwriting needs of the project; provided, that not
1313 less than 20 per cent of the units in a project that receives financial assistance under this item
1314 shall be restricted to households with incomes between 60 per cent and 120 per cent, inclusive,

1315 of the area median income; provided further, that notwithstanding paragraph (f) of section 5 of
1316 said chapter 708, the agency may in its discretion set the terms and prepayment options for any
1317 mortgage or other loan or instrument issued to any project receiving such financial assistance
1318 based on the individual underwriting needs of the project; provided further, that such financial
1319 assistance shall be awarded in a manner that promotes geographic equity; provided further, that
1320 funds expended from this item shall, to the maximum extent feasible, be prioritized for projects
1321 that comply with decarbonization and sustainability standards; provided further, that
1322 prioritization shall be determined through objective scoring criteria in the qualified allocation
1323 plan developed by the executive office of housing and livable communities; provided further,
1324 that for new construction projects, the standards set forth in the commonwealth’s opt-in
1325 specialized energy code under 225 C.M.R. 22.00 and 23.00 and the Enterprise Green
1326 Communities standards shall be the applicable standards for prioritization; provided further, that
1327 any project proposing less than full compliance with those standards shall provide detailed
1328 analysis demonstrating why full compliance would render the project infeasible notwithstanding
1329 utilization of all available federal and state incentives, including rebates and tax credits; provided
1330 further, that for retrofits of existing units, prioritization shall be given to projects that include
1331 energy efficiency and electrification decarbonization measures including, but not limited to,
1332 electric or ground source heat pumps, net-zero developments, Passive House Institute
1333 certification or an equivalent energy efficiency certification and all-electric buildings and
1334 projects that incorporate green, sustainable and climate-resilient elements; and provided further,
1335 that projects that include lower embodied carbon construction materials and methods shall be
1336 further prioritized.....\$50,000,000

1337 SECTION 3. The second paragraph of section 48 of chapter 10 of the General Laws, as
1338 appearing in the 2024 Official Edition, is hereby amended by adding the following sentence:-
1339 The fund shall be for the purpose of supporting, through grant programs, dairy farms with a
1340 certificate of registration under section 16C of chapter 94; provided, that to the extent
1341 practicable, grants shall be awarded to dairy farms that previously paid into the fund in
1342 proportion to their total contributions.

1343 SECTION 4. Said section 48 of said chapter 10 is hereby repealed.

1344 SECTION 5. Section 6C of chapter 20 of the General Laws, as appearing in the 2024
1345 Official Edition, is hereby amended by striking out, in line 3, the figure “18” and inserting in
1346 place thereof the following figure:- 20.

1347 SECTION 6. Said section 6C of said chapter 20, as so appearing, is hereby further
1348 amended by inserting after the word “affairs”, in line 19, the following words:- ; 1 of whom shall
1349 be the director of the division of marine fisheries established in section 1A of chapter 130, or the
1350 director’s designee; 1 of whom shall be the director of the Center for Agriculture, Food and the
1351 Environment at the University of Massachusetts at Amherst, or the director’s designee.

1352 SECTION 7. Chapter 21 of the General Laws is hereby amended by inserting after
1353 section 2G the following section:-

1354 Section 2H. (a) The commissioner of conservation and recreation shall consider land
1355 under the care and control of the department for potential designation and long-term passive
1356 management as a forest reserve and shall recommend designation of land as a forest reserve;
1357 provided, that such designation shall: (i) contribute to carbon sequestration and storage as part of
1358 the commonwealth’s climate mitigation strategy; (ii) allow for unique older forest habitats to

1359 mature and develop over time without intended intervention in ecological processes as part of a
1360 holistic, statewide biodiversity conservation strategy; (iii) enhance climate resilience through the
1361 maintenance of connected natural landscape blocks and species movement corridors that provide
1362 a variety of important ecosystem processes, functions and services; (iv) allow unique
1363 opportunities for compatible passive outdoor recreation and other public enjoyment to serve a
1364 diverse public with wide-ranging recreational values; and (v) facilitate ecological research,
1365 comparative studies of forest dynamics and long-term monitoring to evaluate reserves as
1366 compared to other land management approaches.

1367 (b) The commissioner of conservation and recreation, with the approval of a simple
1368 majority of the members of the stewardship council present at a duly called meeting of the
1369 council, may designate land under the care and control of the department as a forest reserve.
1370 Forest reserves shall be managed consistent with such designation, unless the commissioner,
1371 with the approval of not less than a two-thirds majority of the members of the stewardship
1372 council present at a duly called meeting of the council, and with the approval of the secretary of
1373 energy and environmental affairs, rescinds the designation.

1374 (c) Designation of land as a forest reserve, or the rescission thereof, shall constitute an
1375 administrative designation and shall not: (i) change the entity with respect to the care, custody
1376 and control of the land; (ii) constitute a change in the use of the land; (iii) otherwise dispose of
1377 the land or an interest in the land; or (iv) otherwise change the existing status of the land as a
1378 state forest, state park or other land management unit.

1379 (d) The department, to the greatest degree possible, shall passively manage the forest
1380 reserves to allow natural processes to determine changes in the structure and composition of the

1381 forest ecosystem. Forest reserves shall not be: (i) managed for production of timber or forest
1382 products; or (ii) intentionally manipulated. Any active management shall be avoided, to the
1383 extent feasible, even when disturbances occur. After consultation with a forest reserve science
1384 and technical advisory committee, to be administered by the secretary of energy and
1385 environmental affairs, the department may undertake active management or assisted restoration
1386 actions to: (A) sustain ecosystem function, vital ecosystem services and habitat values; (B)
1387 control problematic pests, pathogens and invasive species; (C) restore water and wetland
1388 resources; (D) protect public safety; or (E) address other unforeseen circumstances. The
1389 department may undertake such other management actions as may be required by law.

1390 (e) The following shall be permitted within the forest reserves: (i) compatible passive
1391 outdoor recreation; (ii) regulated hunting and trapping; (iii) conversion or removal of plantations;
1392 (iv) maintenance or repair of existing forest roads, trails and administrative access points; (v)
1393 preservation of historic and cultural resources; (vi) removal of immediate threats to public safety;
1394 (vii) selective understory invasive plant control; and (viii) monitoring and research activities.

1395 SECTION 8. Said chapter 21 is hereby further amended by inserting after section 3G the
1396 following section:-

1397 Section 3H. (a)(1) The commissioner of conservation and recreation may promulgate
1398 rules and regulations: (i) for the government and use of all property under the control of the
1399 department, including all roads and highways wholly or in part within the boundaries of such
1400 property; (ii) relative to hunting and fishing, except in great ponds, not inconsistent with the laws
1401 protecting fish, birds, mammals and quadrupeds on all property under the control of the
1402 department; (iii) for the government and public use of the Charles river, Mystic river and

1403 Neponset river; provided, that no such rule or regulation shall affect the water rights of any
1404 person, whether a mill owner or otherwise; and (iv) for the care, maintenance, protection and
1405 policing of the basin as defined in section 2 of chapter 524 of the acts of 1909 and amendments
1406 thereto; provided, that no such rule or regulation shall impair freight traffic. Such rules and
1407 regulations may provide for the payment of fees and other charges for the parking of vehicles
1408 and for the enjoyment of other special privileges within the territory under such control.

1409 (2) No such rule or regulation shall prohibit the use of passenger or station wagon type
1410 motor vehicles with a gross weight of not more than 5,000 pounds and that are registered for
1411 commercial use, on ways, parkways or boulevards where non-commercial passenger-type motor
1412 vehicles are permitted to operate.

1413 (3) The commissioner of conservation and recreation may enter into and issue
1414 agreements, licenses and permits for recreational and other uses and may grant concessions for
1415 the sale of refreshments and other articles and the furnishing of services on department property
1416 which the commissioner deems compatible and consistent with this section and Article XCVII of
1417 the Amendments to the Constitution of the Commonwealth; provided, however, that such
1418 agreements, licenses and permits shall be for periods not exceeding 10 years, and shall be in
1419 writing.

1420 (b) A violation of a rule or regulation promulgated pursuant to subsection (a) shall be
1421 punished by a fine of not more than \$500, and each day such violation continues, including, but
1422 not limited to, unauthorized or unpermitted use and occupation of department property shall be a
1423 separate violation.

1424 (c)(1) The commissioner of conservation and recreation may authorize, in writing, non-
1425 criminal enforcement by department staff of department rules and regulations related to parking
1426 pursuant to this section.

1427 (2) A police officer, employed by a city or town in whose boundaries department
1428 property is located, shall, for such department property, have all the same powers as a police
1429 officer of the city or town to enforce the laws of the commonwealth and the rules and regulations
1430 of the department for said property.

1431 (d) Notwithstanding any other general or special law to the contrary, all fines and
1432 penalties recovered for violation of rules and regulations made pursuant to this section shall be
1433 accounted for by the clerk of the court of jurisdiction and forwarded to the department to be
1434 deposited as revenue.

1435 (e) The department may assess a civil administrative penalty, of not more than \$1,000 per
1436 day, for the continuing violation of any rule, regulation or order, including, but not limited to, for
1437 the use, occupation or alteration of department property without written authorization as required
1438 by the department, or for noncompliance with such written authorization. Each day a violation
1439 continues shall constitute a separate violation. The remedies provided in this paragraph shall be
1440 available in addition to any other penalties or remedies provided by law. The department may
1441 adopt and promulgate regulations to effectuate the purposes of this subsection. The penalty
1442 pursuant to this subsection shall be assessed in addition to any other civil penalty otherwise
1443 provided for by law. Notice of assessment of a penalty pursuant to this subsection shall be made
1444 by service in hand, or by certified mail, return receipt requested, and shall state the amount of the
1445 administrative penalty, the date the penalty shall be due, a statement of the violator's right to an

1446 adjudicatory hearing pursuant to chapter 30A regarding the assessment, a statement of the
1447 actions the person may take in order to avoid assessment of additional penalties or to avoid
1448 waiving the right to a hearing relative to the penalty and the manner of acceptable payment if an
1449 election to waive a hearing is made. A person or political subdivision of the commonwealth shall
1450 be deemed to have waived all right to an adjudicatory hearing unless, within 21 days of the date
1451 of the department's notice, a written notice is received by the department, by hand or by certified
1452 mail, return receipt requested, requesting such adjudicatory hearing. In the event that such
1453 request is not received in accordance with this section, the proposed administrative penalty shall
1454 become final, and payment shall be due in accordance with the notice.

1455 SECTION 8A. Section 43A of said chapter 21, as appearing in the 2024 Official Edition,
1456 is hereby amended by inserting after the word "section", in line 1, the following words:- and
1457 section 43B.

1458 SECTION 8B. Subsection (g) of said section 43A of said chapter 21, as so appearing, is
1459 hereby further amended by striking out, in lines 77 to 96, the first 2 paragraphs and inserting in
1460 place thereof the following paragraph:-

1461 (g) The department shall: (i) require permittees to report the volume of discharge from its
1462 outfall; (ii) assist permittees with installing accurate metering equipment to measure discharge
1463 from its outfall; and (iii) issue public advisories within timeframes established pursuant to
1464 subsections (c) and (d).

1465 SECTION 8C. Said chapter 21, as so appearing, is hereby further amended by inserting
1466 after section 43A the following section:-

1467 Section 43B. (a) The department, in consultation with the department of public health,
1468 shall establish quality assurance project plan standards for the testing of water bodies and
1469 waterways for bacteria or other pollutants following a discharge from a permittee’s combined
1470 sewage overflow outfall.

1471 (b) Subject to appropriation, testing shall be conducted by the department, or its designee,
1472 using the department’s quality assurance project plan, within a reasonable amount of time after a
1473 combined sewage overflow notification as determined by the department based on the time
1474 elapsed since the combined sewage overflow and the flow rate of the river. Testing shall be
1475 conducted at multiple locations downstream from each combined sewage overflow outfall.
1476 Testing may be suspended December through March based on weather conditions as determined
1477 by the department.

1478 (c) Annually, not later than November 1, the department shall compile the data from
1479 testing for each combined sewage overflow and produce a report. The department, in
1480 consultation with the department of public health, shall use the data to create a predictive model
1481 for post-combined sewage overflow water quality.

1482 (d) The department shall use the data pursuant to subsection (c) to determine areas with
1483 high bacteria content and shall require any permittee with bacteria content over 235 colony
1484 forming units per 100 milliliters to develop a combined sewage overflow mitigation plan, which
1485 the department shall approve. Permittees developing an approved mitigation plan shall be
1486 prioritized in state storm water funding.

1487 SECTION 9. Subsection (b) of section 67 of said chapter 21, as appearing in the 2024
1488 Official Edition, is hereby amended by striking out the third sentence and inserting in place

1489 thereof the following sentence:- The regulations shall be in accordance with generally accepted
1490 standards of irrigation practice.

1491 SECTION 10. Subsection (c) of said section 67 of said chapter 21, as so appearing, is
1492 hereby amended by adding the following words:- or golf courses.

1493 SECTION 10A. Section 8 of chapter 21A of the General Laws, as so appearing, is hereby
1494 amended by striking out, in line 55, the words “public access board” and inserting in place
1495 thereof the following words:- division of fishing and boating access, division of ecological
1496 restoration.

1497 SECTION 10B. Said section 8 of said chapter 21A, as so appearing, is hereby further
1498 amended by striking out, in line 69, the words “to such rivers, streams and riparian lands” and
1499 inserting in place thereof the following words:- as recommended by the division of fishing and
1500 boating access.

1501 SECTION 10C. Said chapter 21A is hereby further amended by striking out section 11B,
1502 as so appearing, and inserting in place thereof the following section:-

1503 Section 11B. (a) There shall be in the department of fish and game a division of fishing
1504 and boating access. The division shall be under the administrative supervision of a director of
1505 fishing and boating access. The director shall be appointed and may be removed by the
1506 commissioner of the department of fish and game. The director, or a designee, shall serve as the
1507 chief engineer of the division of fishing and boating access and the department.

1508 (b)(1) The division may site, design, construct, operate, repair and maintain public access
1509 facilities, including, but not limited to, boat launching ramps, car-top boat access areas,

1510 sportfishing piers, shorefishing areas and parking areas, which shall provide public access to
1511 great ponds and other waters within the commonwealth for recreational fishing and boating. The
1512 public access facilities may be located on lands owned by or in which a federal, state, regional or
1513 municipal entity has a property interest with the consent of said entity or on lands owned by or in
1514 which the department has a property interest. For public access facilities located on lands under
1515 the ownership or control of a public entity other than the department, the division may enter into
1516 a land management agreement with the public entity in which the public entity shall assume
1517 responsibility for the operation and maintenance of the public access facility and for any other
1518 activity agreed to by the division and the public entity. The division may provide safety, rescue,
1519 patrol and maintenance equipment to public entities that have responsibilities for law
1520 enforcement or management of public lands.

1521 (2) The division may provide engineering, construction and technical services to the
1522 division of fisheries and wildlife, the division of marine fisheries, and the division of ecological
1523 restoration within the department of fish and game.

1524 (c) The division may promulgate regulations governing the use of public access facilities
1525 pursuant to this section and the related land and water resources, violation of which may be
1526 punished by a fine of not more than \$100 and which may be enforced by any employee of the
1527 commonwealth, or of a city or town, having police powers.

1528 SECTION 10D. Said chapter 21A is hereby further amended by inserting after section
1529 11B the following section:-

1530 Section 11B 1/2. There shall be a division of ecological restoration in the department of
1531 fish and game. The division shall be under the administrative supervision of a director of the

1532 division of ecological restoration. The director shall be appointed and may be removed by the
1533 commissioner of the department of fish and game. The division shall work with public and non-
1534 public entities, including, but not limited to, tribal entities, to protect and restore rivers, wetlands
1535 and watersheds for the benefit of people and the environment, including to foster adaptation to
1536 climate change. The division may: (i) provide technical assistance and training; (ii) manage river
1537 and wetland restoration projects, including, but not limited to, dam removal, culvert upgrades
1538 and wetland and salt marsh restoration; (iii) receive grants; (iv) award grants to public and
1539 nonpublic entities; (v) contract for services; (vi) enter into agreements with public and non-
1540 public entities; and (vii) lead other activities as needed to carry out the purposes of the division.

1541 SECTION 11. Said chapter 21A is hereby further amended by inserting after section 18A
1542 the following section:-

1543 Section 18B. (a) As used in this section, the following words shall, unless the context
1544 clearly requires otherwise, have the following meanings:

1545 “Black carbon”, fine particles less than or equal to 2.5 micrometers in diameter
1546 commonly known as soot.

1547 “Department”, the department of environmental protection.

1548 “Eligible buildings”, shall include, but shall not be limited to, existing: (i) residential
1549 public housing; (ii) residential private multifamily housing with more than 2 tenant-occupied
1550 units; (iii) public schools serving students of any age in grades K-12; (iv) private schools serving
1551 students of any age in grades K-12; (v) charter schools serving students of any age in grades K-
1552 12; (vi) college and university buildings with 1 or more classrooms; (vii) existing commercial

1553 buildings with businesses that have 5 or more full-time employees; and (viii) correctional
1554 facilities, including prisons and jails.

1555 “Environmental justice population”, as defined in section 62 of chapter 30.

1556 “Fine particulate matter” and “fine particulates”, particulate matter less than or equal to
1557 2.5 micrometers in diameter.

1558 “Particulate matter” and “particulates”, a broad class of chemically and physically diverse
1559 substances that exist as discrete particles in air, including coarse, fine and ultrafine particles.

1560 “Ultrafine particulate matter” and “ultrafine particulates”, particulate matter less than or
1561 equal to 0.1 micrometers in diameter.

1562 (b) The department, in consultation with the department of public health, shall convene
1563 an air quality advisory committee for the purpose of identifying communities with high
1564 cumulative exposure burdens to toxic outdoor air contaminants and criteria pollutants. The
1565 advisory committee shall review practices to improve air quality in other states and emerging
1566 research to improve air quality in the commonwealth.

1567 (c)(1) The air quality advisory committee shall consist of 9 members: (i) 5 members shall
1568 be appointed by the governor, 1 of whom with a background in public health or environmental
1569 policy, who shall serve as chair, and 4 of whom shall be representatives of community-based or
1570 environmental justice organizations; (ii) 2 members shall be appointed by the secretary of energy
1571 and environmental affairs with a background in public health or environmental justice; and (iii) 2
1572 members shall be appointed by the attorney general, 1 of whom shall have a background in

1573 environmental law or regulatory compliance and 1 of whom shall have a background in
1574 community-based or environmental justice organizations.

1575 (2) In making appointments, the governor, attorney general and secretary of energy and
1576 environmental affairs shall select individuals who are from, or have experience advocating for,
1577 communities that have been disproportionately harmed by air pollution and environmental
1578 injustice. The air quality advisory committee shall be comprised of: (i) residents of
1579 environmental justice populations living adjacent to major highways; (ii) academics with
1580 expertise in outdoor air monitoring, environmental health, air toxics and air pollution; and (iii)
1581 labor representatives.

1582 (3) Any vacancy on the air quality advisory committee shall be filled by the appropriate
1583 appointing authority not later than 60 days after the vacancy. The governor, attorney general or
1584 secretary of energy and environmental affairs may remove an advisory board member who they
1585 appointed for cause. Before removal, the advisory committee member shall be provided with a
1586 written statement of the reason for removal and an opportunity to be heard.

1587 (d) Every 3 years, on or before June 30, the air quality advisory committee shall file a
1588 report with the clerks of the house of representatives and the senate, joint committee on
1589 environment and natural resources and the joint committee on public health identifying the likely
1590 air pollution hotspots due to high concentrations of traffic- and industry-related air pollution
1591 throughout the commonwealth. The advisory committee may make recommendations on areas
1592 that would benefit from being equipped with new or expanded air monitors and establish and
1593 review the definitions of “air quality” and “air quality target pollutants” that shall include, but
1594 shall not be limited to, consideration of criteria pollutants, black carbon and ultrafine particulate

1595 matter. The report shall include, but shall not be limited to: (i) recommendations regarding the
1596 installation of air filtration in eligible buildings located within 200 meters of a class 1, class 2 or
1597 class 3 roadway, marine terminal, airport or a train station or train yard serving diesel
1598 locomotives; (ii) potential incentives for eligible buildings that are schools, private housing and
1599 public housing to cover the cost of installing air filtration equipment; and (iii) progress made in
1600 other states that may help the commonwealth improve air quality.

1601 SECTION 11A. Chapter 21A of the General Laws is hereby amended by adding the
1602 following section:-

1603 Section 32. (a) As used in this section, the following words shall, unless the context
1604 clearly requires otherwise, have the following meanings:

1605 “Brand”, a name, symbol, word or mark that attributes a mattress as the producer of the
1606 mattress.

1607 “Consumer”, a person, which shall include, but shall not be limited to, individuals,
1608 families and business entities, who purchases a mattress for use in the commonwealth.

1609 “Department”, the department of environmental protection.

1610 “Discarded mattress”, a mattress that has been used and abandoned or discarded within
1611 the commonwealth; provided, that “discarded mattress” shall not include a mattress transported
1612 from outside the commonwealth to be discarded within the commonwealth.

1613 “Environmentally sound management”, includes, but shall not be limited to, the
1614 following management practices, implemented in a manner that are designed to protect public
1615 health and safety and the environment: (i) keeping detailed documentation of the methods used

1616 to: (A) recycle, reuse or renovate discarded mattresses to the extent feasible, cost-effective and
1617 environmentally efficient; and (B) track and document the fate of program mattresses from
1618 collection through final disposition; (ii) keeping adequate records; (iii) conducting performance
1619 audits and inspections as determined by a stewardship organization; (iv) complying with worker
1620 health and safety requirements; and (v) maintaining adequate liability insurance for a
1621 stewardship organization and contractors working for the stewardship organization.

1622 “Final disposition”, the point beyond which no further processing takes place and a
1623 discarded mattress and its components have been recycled, renovated or disposed of.

1624 “Foundation”, a ticking-covered structure that is used to support a mattress or sleep
1625 surface and that may be constructed of frames, foam, box springs or other materials, used alone
1626 or in combination.

1627 “Mattress”, a resilient material or combination of materials that is enclosed by a ticking,
1628 is used alone or in combination with other products and is intended for sleeping upon or a
1629 foundation. “Mattress” shall include, but shall not be limited to, a foundation and a renovated
1630 mattress or renovated foundation.

1631 “Mattress” shall not include: (i) an unattached mattress pad or unattached mattress
1632 topper, including items with resilient filling, with or without ticking, intended to be used with or
1633 on top of a mattress; (ii) a sleeping bag or pillow; (iii) a car bed, crib or bassinet mattress; (iv)
1634 juvenile products, including, but not limited to, a carriage, basket, dressing table, stroller,
1635 playpen, infant carrier, lounge pad or crib bumper and the pads for those juvenile products; (v) a
1636 product containing liquid- and gaseous-filled ticking, including a waterbed and air mattress that
1637 does not contain upholstery material between the ticking and the mattress core; and (vi)

1638 upholstered furniture that does not otherwise contain a detachable mattress or that is a fold out
1639 sofa bed or futon.

1640 “Person”, the United States, the state, a public or private corporation, local government
1641 unit, public agency, individual, partnership, association, firm, trust, estate or other legal entity.

1642 “Premium service”, a service such as at-home pickup service, including curbside pickup
1643 service.

1644 “Producer”, any person, irrespective of the selling technique used, including that of
1645 remote sale, that: (i) manufactures a mattress that is sold, offered for sale or distributed within
1646 the commonwealth; or (ii) is the owner of a trademark or brand under which a mattress is sold,
1647 offered for sale or distributed within the commonwealth, whether or not such trademark or brand
1648 is registered within the commonwealth; and (iii) unless covered by (i) or (ii), imports a mattress
1649 into the United States that is sold or offered for sale within the commonwealth.

1650 “Program mattress”, a discarded mattress that a stewardship organization shall provide
1651 environmentally sound management for under a mattress stewardship program; provided, that
1652 “program mattress” shall not include a mattress transported from outside the commonwealth to
1653 be discarded within the commonwealth or a mattress rendered unrecyclable by solid waste
1654 collection methods.

1655 “Recycler”, a person that recycles discarded mattresses.

1656 “Recycling”, any process in which discarded mattresses and components may lose their
1657 original identity or form as they are dismantled and their materials transformed into new, usable
1658 or marketable materials.

1659 “Renovate”, to alter a discarded mattress for resale through adding to or replacing the
1660 ticking or filling, adding additional filling or replacing components; provided, that “renovate”
1661 shall not include: (i) stripping a discarded mattress of the ticking or filling without adding new
1662 material; (ii) the sanitization or sterilization of a discarded mattress without other alteration to the
1663 discarded mattress; (iii) recycling; or (iv) refurbishing that disqualifies a mattress for a red
1664 wholesale renovator tag to be affixed to the mattress, in accordance with the regulations adopted
1665 by the department.

1666 “Retailer”, a person that offers new, used or renovated mattresses for retail sale.

1667 “Sale” or “sell”, any transfer of title for consideration, including remote sales conducted
1668 through sales outlets, catalogues or the internet or any other similar electronic means; provided,
1669 that “sale” or “sell” shall not include a donation.

1670 “Stewardship assessment”, the per unit amount added to the purchase price of a mattress
1671 sold to a consumer to cover the costs of a mattress stewardship program.

1672 “Stewardship organization”, a nonprofit organization designated by a producer or group
1673 of producers to implement a mattress stewardship program.

1674 “Ticking”, the outermost layer of fabric or related material of a mattress; provided, that
1675 “ticking” shall not include any layer of fabric or material quilted together with, or otherwise
1676 attached to, the outermost layer of fabric or material of a mattress.

1677 (b)(1) Except as provided in paragraph (3), a producer, renovator or retailer shall not sell
1678 or offer for sale any mattress to any person in in the commonwealth unless the producer,

1679 renovator or retailer is registered with a stewardship organization with a plan approved by the
1680 department pursuant to subsection (d).

1681 (2) On and after the date that a mattress stewardship program is implemented, a retailer
1682 shall: (i) purchase a mattress only from a producer or renovator that is registered with a
1683 stewardship organization as of the date of purchase as evidenced by information made available
1684 by a stewardship organization pursuant to paragraph (4); (ii) collect, at the point of sale, the
1685 mattress stewardship assessment established pursuant to a plan approved by the department and
1686 remit the mattress stewardship assessment to the stewardship organization that implements the
1687 mattress stewardship program; and (iii) provide to consumers, at the point of sale, information on
1688 available collection opportunities for discarded mattresses through the mattress stewardship
1689 program.

1690 (3) A retailer shall be deemed to be in compliance with this subsection if, on the date the
1691 mattress was ordered from the producer or its agent, the producer of the mattress brand is listed
1692 on the department's website as implementing or participating in an approved mattress
1693 stewardship program.

1694 (4) A stewardship organization shall make available on the stewardship organization's
1695 website and on request: (i) information on registered brands provided to the stewardship
1696 organization by the producers and renovators registered with the stewardship organization; (ii)
1697 information on available collection opportunities; and (iii) any other information necessary for
1698 retailers to comply with paragraph (2).

1699 (5) A retailer or renovator shall identify the mattress stewardship assessment as a separate
1700 line item on the receipt for a mattress provided to a consumer at the point of sale.

1701 (6) A stewardship organization shall use a mattress stewardship assessment collected in
1702 the commonwealth to pay the costs to plan, implement, administer and operate a mattress
1703 stewardship program in the commonwealth, including a financial reserve to prudently prepare for
1704 unexpected costs.

1705 (7) Nothing in this subsection shall prevent a stewardship organization from, with notice
1706 to the department, coordinating efforts for carrying out a mattress stewardship program in the
1707 commonwealth with programs for the collection and environmentally sound management of
1708 discarded mattresses in other states.

1709 (c)(1) A stewardship organization shall submit to the department a plan for the
1710 development and implementation of a mattress stewardship program. The plan shall: (i) describe
1711 how the stewardship organization will manage and administer a mattress stewardship program;
1712 (ii) identify each producer, renovator and retailer that is registered with the stewardship
1713 organization as of 30 days before the plan is submitted to the department; and (iii) include a
1714 description of how the stewardship organization will provide for the environmentally sound
1715 management of program mattresses, regardless of the producer; (iv) establish performance goals
1716 for: (A) the collection target and recycling rates of program mattresses; and (B) public awareness
1717 of the mattress stewardship program; (v) include an anticipated annual operating budget, as
1718 described in paragraph (3), for the mattress stewardship program for 2 years of operation of the
1719 program, beginning with the year in which the plan is submitted to the department; (vi) include a
1720 proposed method for collecting the mattress stewardship assessment from retailers and a method
1721 for ensuring the assessment is remitted to the stewardship organization; provided, that the
1722 mattress stewardship assessment shall be sufficient to recover, but not exceed, the costs of
1723 establishing and administering the mattress stewardship program; (vii) provide for public

1724 education and awareness of discarded mattress collection opportunities statewide and on a
1725 regular basis; (viii) address procedures for identifying substantial or material changes to the
1726 system for collecting discarded mattresses for which a plan amendment shall be required under
1727 subsection (f); and (ix) describe the criteria for determining whether a mattress should be
1728 rejected as unacceptable for recycling because it is contaminated, wet, crushed, or would
1729 otherwise pose a health or safety risk to personnel or equipment, and how the solid waste sector
1730 would dispose of such mattresses. The description pursuant to clause (iii) shall include, but shall
1731 not be limited to: (A) identification of the proposed recyclers that the stewardship organization
1732 will contract with to process program mattresses and the recycling methods that the recyclers
1733 will use; (B) how the stewardship organization will implement the mattress stewardship program
1734 to engage in environmentally sound management practices; and (C) describe how non-program
1735 mattresses will be handled.

1736 (2) There shall be no charge at the point of collection of discarded program mattresses;
1737 provided, however, that the stewardship organization may allow for a person that provides a
1738 premium service under the mattress stewardship program to charge for the additional cost of that
1739 premium service for program mattresses.

1740 (3) The anticipated annual operating budget for a mattress stewardship program shall
1741 include, but shall not be limited to, budget line items relating to the: (i) collection, transportation
1742 and processing of program mattresses; (ii) anticipated amount of moneys that the stewardship
1743 organization will hold in unallocated reserve funds for the mattress stewardship program; and
1744 (iii) annual fee to be paid to the department pursuant to paragraph (3) of subsection (g).

1745 (4) In operating a mattress stewardship program, a stewardship organization shall: (i)
1746 meet the requirements of the plan submitted under this subsection, as approved by the
1747 department pursuant to subsection (e); and (ii) meet or exceed the service requirements pursuant
1748 to subsection (d).

1749 (d)(1) A plan submitted pursuant to subsection (c) shall provide for convenient consumer
1750 access to the program, including permanent mattress dropoff locations throughout the
1751 commonwealth, collection events in underserved areas of the commonwealth and a convenient
1752 way for the public to access a list of mattress collection opportunities.

1753 (2) A plan may provide for methods for providing convenient service that are alternative
1754 methods to those provided for in paragraph (1) if, based on a geographic information systems
1755 analysis or additional information, the alternative methods shall result in providing service to
1756 residents throughout this state at an equivalent level of convenient service compared with the
1757 methods provided for under paragraph (1).

1758 (3) A stewardship organization may: (i) establish and maintain collection sites at
1759 permitted solid waste facilities or other suitable sites for the collection of discarded mattresses;
1760 provided, that such sites shall not impose a fee for making space available for storage containers
1761 that the stewardship organization shall provide at no charge; (ii) provide for bulk pickup service
1762 at no cost to collect a minimum of 100 properly sourced separated program mattresses at 1 time
1763 from persons including: (A) retailers; (B) health care, educational or military facilities; and (C)
1764 hotels, motels, inns and other establishments that provide transient lodging; (iii) offer
1765 organizations that recycle or renovate discarded mattresses the opportunity to participate as
1766 collection sites; and (iv) notify retailers that sell or offer for sale mattresses made or sold by

1767 producers or renovators registered with the stewardship organization about the mattress
1768 stewardship program and provide retailers with information necessary to comply with this
1769 subsection.

1770 (e)(1) The department shall approve, reject or request additional information for a plan
1771 submitted under subsection (c) or an amendment to a plan submitted under subsection (g) not
1772 later than 60 days after the department receives the plan or plan amendment from the
1773 stewardship organization. The department shall post a plan or plan amendment on its website and
1774 provide for a public comment period of not less than 15 days before approving, rejecting or
1775 requesting additional information on the plan or plan amendment.

1776 (2) If the department rejects, or requests additional information pertaining to subsection
1777 (c) for, the plan or plan amendment, the department shall provide the stewardship organization
1778 with the reasons, in writing, that the plan or plan amendment does not meet the plan
1779 requirements of subsection (c). The stewardship organization shall have 30 days from the date
1780 that the rejection or request for additional information is received to submit to the department
1781 any additional information necessary for the approval of the plan or plan amendment. The
1782 department shall review and approve or disapprove the revised plan or plan amendment not later
1783 than 30 days after the department receives the revised plan or plan amendment.

1784 (3) The department's rejection of, or request for additional information for, a plan
1785 amendment does not relieve a stewardship organization from continuing to implement a mattress
1786 stewardship program in compliance with a previously approved plan pending a final action by
1787 the department on the plan amendment.

1788 (4) Not later than 1 year after a plan or amended plan is approved under this section, a
1789 stewardship organization shall implement a mattress stewardship program as described in the
1790 plan or amended plan.

1791 (f)(1) Each stewardship organization shall submit to the department for approval an
1792 amendment to a plan that has been approved by the department under subsection (e) if, at any
1793 time: (i) there is a substantial or material change, pursuant to paragraph 1 of subsection (c), to the
1794 system for collecting discarded mattresses; or (ii) the department requests an amendment to the
1795 plan in order to address a specific finding by the department that the program plan is outdated as
1796 described in the program plan.

1797 (2) The department shall review the program plan every 5 years after initial plan
1798 approval. If the department determines that the requirements of paragraph (1) have been met, it
1799 may require the stewardship organization to submit to the department, an amended plan for its
1800 review and approval or rejection.

1801 (3) The department shall not request an amendment pursuant to paragraph (1) until 2
1802 years after the implementation of a mattress stewardship program by the stewardship
1803 organization.

1804 (4) Within 30 days of the following, the stewardship organization shall provide written
1805 notice to the department: (i) a change in the location or the number of permanent collection sites
1806 identified in the plan; (ii) a change in the producers or renovators that are registered with the
1807 stewardship organization; or (iii) a change in the recyclers or renovators and transporters that
1808 manage the discarded mattresses collected by the stewardship organization under the program.

1809 (5) The stewardship organization may change the amount of such assessment after 1 year
1810 from the date when the collection of the stewardship assessment commences; provided, however,
1811 that the organization shall not change the amount of such assessment more frequently than
1812 annually unless the organization provides good cause to change the assessment earlier and shall
1813 provide not less than 90 days notice to the public before the change in the amount of such
1814 assessment takes place.

1815 (6) The stewardship organization may conduct a financial review of the fees of those
1816 parties required to remit the stewardship assessment to the mattress recycling organization to
1817 verify that the assessments paid are proper and accurate and to confirm that all parties required
1818 by this article to pay or collect the assessment are paying or collecting the proper amount. The
1819 financial review shall be carried out in accordance with generally accepted auditing practices and
1820 shall be limited in scope to confirm whether the stewardship assessment has been properly
1821 collected on all sales of mattresses to consumers in the commonwealth. The stewardship
1822 organization shall hire independent third-party auditors to conduct the financial review. The
1823 organization shall provide to the department a copy of such financial review reports.

1824 (7) A proposed change to the mattress stewardship assessment shall not be grounds to
1825 require a program plan amendment.

1826 (g)(1) Each stewardship organization that implements a mattress stewardship program
1827 pursuant to a plan approved by the department pursuant to section 5 shall, not later than July 1 of
1828 each year, submit for review and approval to the department: (i) the annual report pursuant to
1829 subsection (b) for the preceding calendar year; and (ii) an updated budget for the upcoming
1830 calendar year that follows the budget requirements pursuant to subsection (c);

1831 (2) The annual report submitted by a stewardship organization pursuant to paragraph (1)
1832 shall include, but shall not be limited to, with respect to mattresses collected in the
1833 commonwealth:

1834 (i) the total sales of mattresses sold to consumers in the commonwealth in the previous
1835 calendar year by producers, renovators and retailers registered with the stewardship organization;

1836 (ii) the mattress stewardship program's costs and revenues for the previous calendar year;

1837 (iii) information on the number and tonnage of discarded mattresses collected pursuant to
1838 the mattress stewardship program for recycling during the previous calendar year;

1839 (iv) the weight of mattress materials recycled and the final disposition of mattress
1840 materials, by weight and by material, sold as commodities in secondary markets;

1841 (v) the weight of program mattress materials sent for disposal at each of the following:
1842 (A) waste-to-energy facilities; (B) landfills; and (C) any other facilities;

1843 (vi) an evaluation of why the mattress materials sent for disposal were not recycled and a
1844 description of program efforts to increase the recycling rate of mattress materials under the
1845 mattress stewardship program;

1846 (vii) the strategies of the stewardship organization will take to address discarded
1847 mattresses that are not program mattresses and discarded mattresses that are illegally dumped;

1848 (viii) a summary of the public education offered in the previous calendar year that
1849 supports the mattress stewardship program and examples of public education materials;

1850 (ix) an evaluation of the effectiveness of methods and processes used to achieve the
1851 approved program plan goals of the mattress stewardship program, information on progress
1852 made toward achieving the goals, an explanation of why any goals were not met during the
1853 previous calendar year and any options for improving progress toward meeting the goals in the
1854 future, if applicable;

1855 (x) a report by an independent certified public accountant, retained by the stewardship
1856 organization at the stewardship organization's expense, on the accountant's audit of the
1857 stewardship organization's financial statements;

1858 (xii) a report on the outcome of financial review of entities the stewardship organization
1859 contracts with, as provided in subsection (f); and

1860 (xiii) recommendations for changes to the mattress stewardship program, including
1861 continuous improvement.

1862 (3) The department shall establish an annual fee to be paid by the stewardship
1863 organization that is reasonably calculated to cover the actual costs to the department to
1864 administer, implement and enforce this section. The department shall provide notice to a
1865 stewardship organization not later than April 1 of each year of the annual fee for the upcoming
1866 calendar year. Fees collected by the department under this section shall be credited to the
1867 Mattress Stewardship Fund established under section 2PPPPPP of chapter 29.

1868 (h)(1) The department may enter upon and inspect, at any reasonable time, any public or
1869 private property, premises or place for the purpose of investigating either an actual or suspected
1870 violation of this section.

1871 (2) A stewardship organization shall retain all records related to implementation of a
1872 mattress stewardship program for not less than 3 years and make the records available for
1873 inspection by the department upon request.

1874 (3) The department shall maintain on its website a list of all producers, renovators and
1875 retailers that are in compliance with this section.

1876 (4) Upon a written finding that a manufacturer, renovator, distributor, recycler or retailer
1877 has not met a material requirement of this section, in addition to any other penalties authorized
1878 under this section, the department may take any of the following actions after affording the
1879 manufacturer, organization, renovator, distributor, recycler or retailer a reasonable opportunity to
1880 respond to or rebut the finding, to ensure compliance with the requirements of this section:

1881 (i) require additional reporting requirements relating to compliance with the material
1882 requirement identified by the department;

1883 (ii) remove the manufacturer, renovator or distributor from the department's internet
1884 website and list of compliant manufacturers, renovators, and distributors, as specified in
1885 subsection (b); and

1886 (iii) levy civil penalties as described in subsection (k).

1887 (i)(1) The establishment, administration, setting, collection and disbursement of the
1888 stewardship assessment shall be exempt from federal and state antitrust laws.

1889 (2) This section shall not authorize any person to engage in activities or to conspire to
1890 engage in activities that constitute per se violations of state or federal antitrust laws that are not
1891 authorized under this section.

1892 (3) This subsection shall not apply to any activities related to: (i) pricing agreements for
1893 mattresses unrelated to the mattress stewardship assessment; (ii) agreements regarding the output
1894 or production of mattresses; or (iii) restrictions on the geographic area in which, or the
1895 consumers to whom, mattresses will be sold.

1896 (4) The department shall actively supervise the conduct of a stewardship organization in
1897 establishing, administering, collecting and disbursing the mattress stewardship assessment.

1898 (j) The department may adopt rules and regulations as necessary to implement this
1899 section.

1900 (k)(1) A retailer that violates this section shall be subject to a civil penalty not greater
1901 than \$100 per day for each day of the violation. A producer, renovator or representative
1902 organization that violates this section shall be subject to a civil penalty not greater than \$1,000
1903 per day for each day of the violation.

1904 (2) Any penalty collected under this subsection shall be placed in the mattress
1905 stewardship fund to be used by the department to ensure the implementation of approved
1906 mattress stewardship programs.

1907 (3) In evaluating whether to impose a civil penalty, and in determining the amount of
1908 such civil penalty, the department shall take into account the materiality of the violation, whether
1909 the violation is wholly or partially the result of factors beyond the control of the producer or
1910 mattress recycling organization, whether the producer or mattress recycling organization has
1911 made a good faith effort to comply with this section and whether the violation can be addressed
1912 through means other than a civil penalty.

1913 SECTION 11B. Section 2 of chapter 21G of the General Laws, as appearing in the 2024
1914 Official Edition, is hereby amended by inserting after the word “volume.”, in line 32, the
1915 following words:- The permit program is intended to assist the department in the comprehensive
1916 management of the commonwealth’s water resources within its river basins in a manner that
1917 ensures an appropriate balance among competing water withdrawals and uses, as well as
1918 preservation of the water resource itself.

1919 SECTION 11C. Said section 2 of said chapter 21G, as so appearing, is hereby further
1920 amended by inserting after the word “thereunder.”, in line 49, the following words:- The
1921 registration statement is intended to enable the department to document baseline water use in the
1922 commonwealth.

1923 SECTION 11D. Section 5 of said chapter 21G, as so appearing, is hereby amended by
1924 adding the following paragraph:-

1925 All properly filed renewal registration statements shall entitle the registrants to their
1926 registered water use volumes without conditions, including through department regulations;
1927 provided, however, that the department regulations may establish water volume measurements;
1928 provided further, that the department may require proper metering or other means to accurately
1929 measure the volume of water withdrawn under a renewal registration statement.

1930 SECTION 11E. Chapter 21N of the General Laws is hereby amended by inserting after
1931 section 3B the following section:-

1932 Section 3C. The secretary shall, in consultation with the department and the coastal zone
1933 management office established in section 4A of chapter 21A, develop a quantified net positive
1934 statewide carbon sequestration and storage goal for natural and working lands. In consideration

1935 of the commonwealth’s substantial coastline, the secretary shall study the sequestration capacity
1936 of the commonwealth’s salt marshes, seagrasses and waterways in developing the
1937 commonwealth’s carbon sequestration goal. The sequestration goal shall be determined in
1938 agreement with the statewide greenhouse gas emission reductions goals as established by the
1939 secretary.

1940 SECTION 11F. Chapter 25A of the General Laws is hereby amended by adding the
1941 following section:-

1942 Section 22. (a) As used in this section, the following words shall, unless the context
1943 clearly requires otherwise, have the following meanings:

1944 “Correlated color temperature”, the apparent hue of the light emitted by a fixture,
1945 expressed in kelvin (K).

1946 “Façade lighting”, illumination of exterior surfaces of buildings for the enhancement of
1947 their nighttime appearance, achieved by shining light onto building surfaces, or by internal or
1948 external illumination of translucent building surfaces, or with fixtures solely for decorative
1949 function.

1950 “Fixture”, a complete lighting unit, including a light source together with the parts
1951 designed to distribute the light, to position and protect the light source and connect the light
1952 source to the power supply.

1953 “Fully shielded fixture”, a fixture that in its mounted position has an uplight value of U0
1954 as defined by the Illuminating Engineering Society’s IES TM-15-11, Luminaire Classification
1955 System for Outdoor Luminaires or successor publication, or that allows no direct light from the

1956 fixture above a horizontal plane through the fixture's lowest light-emitting part, in its mounted
1957 position.

1958 “Glare”, light emitted by a fixture that causes visual discomfort or reduced visibility.

1959 “Illuminance”, the luminous power incident per unit area of a surface.

1960 “Light trespass”, light that falls beyond the property it is intended to illuminate.

1961 “Lumen”, a standard unit of measurement of the quantity of light emitted from a source
1962 of light.

1963 “Municipal funds”, bond revenues or money appropriated or allocated by the governing
1964 body of a town or city within the commonwealth.

1965 “Ornamental lighting”, a lighting fixture that has a historical or decorative appearance
1966 and that serves a decorative function in addition to serving to light a roadway, parking lot,
1967 walkway, plaza, landscaping or other area.

1968 “Parking-lot lighting”, a permanent outdoor fixture specifically intended to illuminate an
1969 uncovered vehicle parking area.

1970 “Permanent outdoor fixture”, a fixture for use in an exterior environment installed with
1971 mounting not intended for relocation; provided, however, that “permanent outdoor fixture” shall
1972 not include: (i) a fixture used temporarily for emergency, repair, construction or similar
1973 activities; (ii) the replacement of a previously installed permanent outdoor fixture that is
1974 destroyed, damaged or inoperative, has experienced electrical failure due to failed components,
1975 or requires standard maintenance; or (iii) festoon lighting; as defined in the National Fire
1976 Protection Association Inc.’s NFPA 70 National Electrical Code.;

1977 “Roadway lighting”, a permanent outdoor fixture specifically intended to illuminate a
1978 public roadway.

1979 “Sky glow”, scattered light in the atmosphere that is caused by light directed upward or
1980 sideways from fixtures, reducing an individual’s ability to view the natural night sky.

1981 “State funds”, bond revenues or money appropriated or allocated by the general court.

1982 “Uplight”, direct light emitted above a horizontal plane through the fixture’s lowest light-
1983 emitting part in its mounted position.

1984 (b) The department, in consultation with the Massachusetts Department of Transportation
1985 and the executive office of public safety and security, shall promulgate regulations governing the
1986 use of state or municipal funds to install, to cause to be installed, or to operate new permanent
1987 outdoor fixtures, with the intent of reducing energy waste and minimizing light pollution. Such
1988 regulations shall ensure that state and municipal funds are not used for new permanent outdoor
1989 fixtures unless the following conditions are met:

1990 (i) fixtures used for roadway lighting or parking-lot lighting, whether mounted to poles,
1991 buildings or other structures, shall be fully shielded unless they are ornamental lighting fixtures,
1992 or are fixtures used to light tunnels or roadway underpasses;

1993 (ii) ornamental lighting fixtures shall comply with a limit on lumens of uplight
1994 established in the regulations;

1995 (iii) fixtures used for roadway lighting shall not be more numerous than is necessary for
1996 adequate vehicular and pedestrian safety, as determined by the regulations and given due

1997 consideration to the Federal Highway Administration Lighting Handbook and to the
1998 recommendations in the Illuminating Engineering Society's ANSI/IES RP-8;

1999 (iv) building-mounted fixtures shall be fully shielded unless they are façade lighting
2000 fixtures;

2001 (v) façade lighting fixtures shall be selected and installed to direct the light onto the
2002 intended target, and shall be shielded, so that glare, sky glow and light trespass are minimized;

2003 (vi) fixtures used to light historic structures, flags, monuments, statuary and works of art
2004 shall be selected and installed to direct the light onto the intended target, and shall be shielded, so
2005 that glare, sky glow and light trespass are minimized;

2006 (vii) fixtures used to light athletic playing areas shall be selected and installed so as to
2007 minimize glare, light trespass and sky glow outside the athletic playing area;

2008 (viii) fixtures installed for any purpose shall have a correlated color temperature that is
2009 not greater than a limit established in the regulations; provided, that the limit shall not exceed
2010 3000 K; and provided further, that said regulations shall include exemptions from the limit
2011 where: (A) a public safety need is demonstrated; (B) the fixtures are used exclusively for the
2012 decorative illumination through color of certain building façade or landscape features; or (C) the
2013 fixtures are used to illuminate athletic playing areas; and

2014 (ix) lighting installed for any purpose shall provide maintained illuminance at levels that
2015 are no greater than those required for the intended purpose, as established in the regulations and
2016 given due consideration to lighting industry standards and practices, unless a demonstrated and
2017 verified need exists for higher levels to ensure safety or security; provided, that if a municipal

2018 ordinance or regulation specifies lower illuminance levels, the illuminance level required for the
2019 intended purpose by the municipal ordinance or regulation shall be used.

2020 (c) This section shall not apply: (i) if it is preempted by federal law; (ii) to navigational
2021 and other lighting systems necessary for aviation and nautical safety; (iii) if a compelling and
2022 bona fide safety or security need exists that cannot be reasonably addressed through a fixture,
2023 fixture placement, or illuminance level that complies with subsection (b), or through non-lighting
2024 safety measures; or (iv) to fixtures installed under any specific exemptions as codified in the
2025 regulations established under subsection (b).

2026 SECTION 12. Chapter 29 of the General Laws is hereby amended by inserting after
2027 section 2NNNNNN, inserted by section 19 of chapter 73 of the acts of 2025, the following 2
2028 sections:-

2029 Section 2000000. (a) For the purposes of this section, “Historic Connecticut River
2030 Water Trail” shall, unless the context clearly requires otherwise, mean the portion of the
2031 Connecticut river beginning at the Holyoke dam located at river mile 83.4 and ending at the
2032 northern border of the municipality of Hatfield located at river mile 104.3.

2033 (b) There shall be established and set up on the books of the commonwealth a separate,
2034 non-budgeted special revenue fund known as the Historic Connecticut River Water Trail
2035 Marking Fund, which shall be administered by the executive office of energy and environmental
2036 affairs to support the maintenance of the Historic Connecticut River Water Trail.

2037 (c) The fund shall be credited with: (i) money transferred to the fund by a municipality;
2038 (ii) money transferred to the fund by the municipal gas and electric commission of the city of
2039 Holyoke; (iii) money transferred to the fund by the general court and specifically designated to

2040 be credited to the fund; (iv) funds from public and private sources, including, but not limited to,
2041 gifts, grants and donations; and (v) interest earned on money in the fund.

2042 (d) Amounts credited to the fund shall be expended, without further appropriation, by the
2043 secretary of energy and environmental affairs, in consultation with the director of the office of
2044 law enforcement, the director of the office of outdoor recreation and the chief executive officers
2045 of the municipalities of Easthampton, Hadley, Hatfield, Holyoke, Northampton and South
2046 Hadley, to ensure the placement of river markers to ensure safe navigable passage and recreation
2047 on the Historic Connecticut River Water Trail.

2048 (e) The unexpended balance in the fund at the end of a fiscal year shall remain available
2049 for expenditure in subsequent fiscal years. For the purpose of accommodating timing
2050 discrepancies between the receipt of revenues and related expenditures, the executive office of
2051 energy and environmental affairs may incur expenses, and the comptroller shall certify for
2052 payment, amounts not to exceed the most recent revenue estimate as certified by the office of
2053 law enforcement established in section 10A of chapter 21A, as reported in the state accounting
2054 system.

2055 Section 2PPPPPP. (a) There shall be established and set up on the books of the
2056 commonwealth a separate, non-budgeted special revenue fund known as the Mattress
2057 Stewardship Fund, which shall be administered by the commissioner of environmental protection
2058 to pay the costs of administering, implementing and enforcing section 32 of chapter 21A.

2059 (b) The fund shall be credited with: (i) fees collected pursuant to subsection (g) of section
2060 32 of chapter 21A; (ii) money transferred to the fund by the general court and specifically

2061 designated to be credited to the fund; (iii) funds from public and private sources, including, but
2062 not limited to, gifts, grants and donations; and (iv) interest earned on money in the fund.

2063 (c) Amounts credited to the fund shall be expended without further appropriation, by the
2064 commissioner of environmental protection. The unexpended balance in the fund at the end of a
2065 fiscal year shall remain available for expenditure in subsequent fiscal years.

2066 SECTION 13. The General Laws are hereby amended by inserting after chapter 29D the
2067 following 2 chapters:-

2068 Chapter 29E

2069 Resilience Revolving Fund

2070 Section 1. As used in this chapter, the following words shall, unless the context clearly
2071 requires otherwise, have the following meanings:

2072 “Board”, as defined in section 1 of chapter 29C.

2073 “Trust”, as defined in section 1 of chapter 29C.

2074 “Trust agreement”, as defined in section 1 of chapter 29C.

2075 Section 2. (a) There shall be established and set up on the books of the commonwealth a
2076 separate, non-budgeted special revenue fund known as the Resilience Revolving Fund. The fund
2077 shall be administered by the board. The fund shall be credited with amounts credited or
2078 transferred to the fund by the general court or any other source, including, but not limited to: (i)
2079 fees or tax revenue specified to be credited to the fund; (ii) federal grants; (iii) loan repayments;
2080 (iv) investment earnings on money in the fund; and (v) any other amounts required to be credited

2081 to the trust by operation of law, resolution or agreement entered into by the board. The state
2082 treasurer shall be the treasurer-custodian of the fund and, subject to any applicable trust
2083 agreement, the state treasurer may invest monies held in the fund in such investments as may be
2084 legal investments for funds of the commonwealth.

2085 (b) Amounts credited to the fund may be used, without further appropriation, to provide:

2086 (i) loans to municipalities, tribal governments and public water and wastewater districts for
2087 climate resilient infrastructure projects recommended by the advisory committee established in
2088 section 3; and (ii) technical support for eligible applicants needing assistance for projects to be
2089 ready to apply for said loans and program management, to be provided by the executive office of
2090 energy and environmental affairs; provided, that the amount expended pursuant to clause (ii)
2091 shall not exceed the amount approved annually by the board based on a recommendation by the
2092 advisory committee. The unexpended balance in the fund at the end of a fiscal year shall remain
2093 available for expenditure in subsequent fiscal years. No expenditure made from the fund shall
2094 cause the fund to be in deficit at any point.

2095 Section 3. (a) There shall be an advisory committee to the board consisting of: the state
2096 treasurer, ex officio; the secretary of administration and finance, ex officio; the secretary of
2097 energy and environmental affairs, ex officio; 1 member appointed by the trust; and 1 member
2098 appointed by the secretary of energy and environmental affairs. Each member of the advisory
2099 committee may appoint a designee pursuant to section 6A of chapter 30. The advisory committee
2100 shall elect a chair by majority vote.

2101 (b) The advisory committee shall recommend eligible climate resilient infrastructure
2102 projects and expenditures for technical support and program management to the board for
2103 approval for loans pursuant to sections 6 and 7.

2104 (c) The executive office of energy and environmental affairs shall promulgate regulations
2105 establishing the criteria for a climate resilience project and any key project requirements,
2106 including, but not limited to: (i) the scope of the project; (ii) any ongoing requirements and
2107 covenants; and (iii) compliance with subsection (b) of section 283 of chapter 238 of the acts of
2108 2024 regarding the use of project labor agreements.

2109 (d) The advisory committee shall only consider projects for which it has received a
2110 certificate issued by the executive office of energy and environmental affairs that approves the
2111 project in accordance with regulations and identifies the specific project requirements, including,
2112 but not limited to, the scope, timeline and costs of the project.

2113 Section 4. (a) The board may provide, by resolution, for the issuance from time to time of
2114 bonds for any purpose of the fund. The bonds shall be issued as special obligations payable
2115 solely from the revenues, funds and other assets or property held or to be received by the trust
2116 with respect to the fund.

2117 (b)(1) The bonds of each issue may: (i) be dated; (ii) bear interest at such rate or rates,
2118 including rates variable from time to time; and (iii) mature or otherwise be payable or
2119 redeemable at such times as the board may determine.

2120 (2) The board shall determine the denominations of bonds, the details of their execution
2121 and authentication and their places of payment within or without the commonwealth. In case any
2122 trustee or officer whose signature appears on any bonds shall cease to be such officer before their

2123 delivery, the signature shall nevertheless be valid and sufficient as if the officer had remained in
2124 office until delivery.

2125 (3) Bonds may be issued in certificated or uncertificated form, payable to bearer or
2126 registered owners, and, if notes, may be made payable to bearer or to order.

2127 (4) The board may sell the bonds of the trust at public or private sale at par or for such
2128 premium or discount price as it may determine.

2129 (5) The board may, by resolution, delegate to any trustee or officer of the trust the power
2130 to determine any of the matters set forth in this section.

2131 (c) Bonds of the trust may be secured by a trust agreement between the trust and the bond
2132 owners or a corporate trustee which may be any trust company or bank having the powers of a
2133 trust company within or without the commonwealth. A trust agreement may pledge or assign, in
2134 whole or in part, any loan agreements and local governmental obligations, and the revenues,
2135 funds and other assets or property held or to be received by the trust with respect to the fund,
2136 including, but not limited to, all monies and investments on deposit from time to time in the fund
2137 or any account of such trust agreement and any contract or other rights to receive the same,
2138 whether then existing or thereafter coming into existence and whether then held or thereafter
2139 acquired by the trust, and the proceeds thereof. A trust agreement may contain, without
2140 limitation, provisions for protecting and enforcing the rights, security and remedies of the
2141 bondholders, provisions defining defaults and establishing remedies, which may include
2142 acceleration and may also contain restrictions on the remedies by individual bondholders. A trust
2143 agreement may also contain covenants of the trust concerning the custody, investment and
2144 application of monies, the enforcement of loan agreements and local governmental obligations,

2145 the issue of additional or refunding bonds, the use of any surplus bond proceeds, the
2146 establishment of reserves and the regulation of other matters customarily treated in trust
2147 agreements. At the request of the board, the state treasurer shall join in any trust agreement or to
2148 otherwise agree with the trust, any lender or any trustee for bondholders to hold the fund in
2149 compliance with any covenants and provisions relating to the fund contained in any trust
2150 agreement.

2151 (d) Bonds may be issued by the trust in the form of lines of credit or other banking
2152 arrangements under terms and conditions determined by the board. In addition to other lawful
2153 security, bonds may be secured, in whole or in part, by financial guarantees, by insurance, by
2154 letters or lines of credit or by other credit enhancement issued to the trust or to a trustee or other
2155 person, by any bank, trust company, insurance or surety company or other financial institution,
2156 within or without the commonwealth. The trust may pledge or assign, in whole or in part, any
2157 loan agreements and local governmental obligations and the revenues, funds and other assets and
2158 property held or to be received by the trust with respect to the fund, and any contract or other
2159 rights to receive the same, whether then existing or thereafter coming into existence and whether
2160 then held or thereafter acquired by the trust, and the proceeds thereof, as security for such
2161 guarantees or insurance or for the reimbursement to any issuer of a line or letter of credit.

2162 (e) The board may, by resolution, provide for the issue by the trust of interim receipts or
2163 temporary bonds, exchangeable for definitive bonds when the bonds are executed and are
2164 available for delivery. The board may provide for replacement of mutilated, destroyed or lost
2165 bonds. The trust may purchase and invite offers to tender for purchase any outstanding bonds;
2166 provided, however, that no purchase by the trust shall be made at a price, exclusive of accrued
2167 interest, if any, exceeding the bond's principal amount or, if greater, its redemption price when

2168 next redeemable at the option of the trust. The trust may resell any bonds it purchases in such
2169 manner and for such price as it may determine.

2170 (f) The board may issue refunding bonds of the trust for the purpose of paying any bonds
2171 at or prior to maturity. Refunding bonds may be issued at any time at or prior to the maturity or
2172 redemption or purchase of the refunded bonds. Refunding bonds may be issued in sufficient
2173 amounts to pay or provide for payment of the principal of the bonds being refunded, together
2174 with any redemption premium thereon, any interest or discount accrued or to accrue to the date
2175 of payment, costs of issuance and other expenses and reserves reasonably necessary to achieve
2176 the refunding.

2177 (g) Bonds of the trust shall be: (i) securities in which public officers and agencies,
2178 insurance companies, financial institutions, investment companies, executors, administrators,
2179 trustees and others may properly invest funds including capital within their control; and (ii)
2180 securities which may be deposited with any public officer or any agency for any purpose for
2181 which the deposit of bonds is authorized by law.

2182 (h) Bonds issued by the trust shall not be deemed to be a debt or a pledge of the faith and
2183 credit of the commonwealth or of any of its political subdivisions, but shall be payable solely
2184 from the revenues and monies of the fund and other monies and rights pledged to their payment.
2185 Bonds shall recite that neither the commonwealth nor any political subdivision thereof shall be
2186 obligated to pay the same and neither the faith and credit nor the taxing power of the
2187 commonwealth or any political subdivision is pledged to their payment. Every bond shall recite
2188 it is a special obligation payable solely from the revenues, funds, assets or other property of the
2189 fund.

2190 (i) Bonds of the trust shall be deemed to be investment securities under chapter 106.
2191 Bonds, their transfer and the income therefrom, including any profit made on the sale thereof,
2192 shall, at all times, be exempt from taxation by and within the commonwealth. The trust shall not
2193 be required to pay any taxes, assessments or excises upon its income, existence, operation or
2194 assets, monies or revenues.

2195 Section 5. It shall be lawful for any bank or trust company to act as a depository of the
2196 fund or trustee under a trust agreement; provided, that the bank or trust company shall furnish
2197 indemnification and reasonable security as the board may require. Any assignment or pledge of
2198 revenues, funds and other assets and property made by the trust shall be valid and binding and
2199 shall be deemed continuously perfected for the purposes of chapter 106 and other laws when
2200 made. The revenues, funds and other assets and property, rights therein and thereto and proceeds
2201 so pledged and then held or thereafter acquired or received by the trust shall immediately be
2202 subject to the lien of such pledge without any physical delivery or segregation or further act, and
2203 the lien of any such pledge shall be valid and binding against all parties having claims of any
2204 kind in tort, contract or otherwise against the trust, whether or not such parties have notice
2205 thereof. The trust agreement by which a pledge is created need not be filed or recorded to perfect
2206 the pledge except in the records of the board and no filing need be made pursuant to said chapter
2207 106. Any pledge or assignment made by the trust is an exercise of its political and governmental
2208 powers, and loan agreements, local governmental obligations, revenues, funds, assets, property
2209 and contract or other rights to receive the same and the proceeds thereof that are subject to the
2210 lien of a pledge or assignment created under this chapter shall not be applied to any purposes not
2211 permitted by the pledge or assignment. Any holder of a bond and any trustee under a trust
2212 agreement, except to the extent its rights may: (i) be restricted by the trust agreement; (ii) bring

2213 suit upon the bonds; and (iii) pursue any other legal action to protect and enforce its rights and
2214 compel performance of all duties required to be performed by the trust and the board.

2215 Section 6. In addition to the other powers set forth in chapter 29C, the board may: (i)
2216 make loans and other forms of financial assistance to finance or refinance costs of climate
2217 resilient infrastructure projects as authorized by section 2; (ii) acquire, hold and sell local
2218 governmental obligations and other instruments evidencing the loans and other forms of financial
2219 assistance at such prices and in such manner as the board shall deem advisable; and (iii) secure
2220 bonds of the trust with loans, local governmental obligations and other instruments.

2221 Section 7. Any municipality, tribal government and public water and wastewater district
2222 may apply to the executive office of energy and environmental affairs for a loan to assist in
2223 financing the cost of a climate resilient infrastructure project. At the option of the trust, loans
2224 may be unsecured or may be secured by local governmental obligations for delivery to the trust
2225 to evidence the loan. Each loan shall be made pursuant to a loan agreement between the trust and
2226 such entity acting by and through the officer or officers, board, committee or other body
2227 authorized by law, or otherwise its chief executive officer. The trust shall have such remedies
2228 with respect to defaults on such loans as set forth in section 11 of chapter 29C.

2229 Chapter 29F

2230 Community Septic Management Program Expansion

2231 Section 1. As used in this chapter, the following words shall, unless the context clearly
2232 requires otherwise, have the following meanings:

2233 “Domestic septic system”, any properly functioning septic system serving a structure
2234 used for human habitation that is approved for the intended use pursuant to title 5 of the state
2235 environmental code established in 310 CMR 15.000, et seq.

2236 “Enhanced nitrogen removal technology”, an enhanced nitrogen removal alternative
2237 technology approved by the department of environmental protection in accordance with title 5 of
2238 the state environmental code established in 310 CMR 15.000, et seq.

2239 “Loan agreement”, an agreement entered into between the trust and a local governmental
2240 unit or other eligible borrower pertaining to a loan for the purchase and delivery of local
2241 governmental obligations or other instruments evidencing or securing a loan. The term “loan
2242 agreement” shall include, but shall not be limited to a: (i) loan agreement; (ii) trust agreement;
2243 (iii) trust indenture; (iv) security agreement; (v) reimbursement agreement; (vi) guarantee
2244 agreement; (vii) bond or note resolution; (viii) loan order; or (ix) similar instrument whether
2245 secured or unsecured.

2246 “Local or regional board of health”, any body politic or political subdivision of the
2247 commonwealth that acts as a board of health, public health commission or a health department
2248 for a municipality; provided, however, that “board of health” shall include, but shall not be
2249 limited to, municipal boards of health, regional health districts established under section 27B of
2250 chapter 111 and boards of health that share services pursuant to section 4A of chapter 40.

2251 Section 2. (a) Notwithstanding chapter 29C or any other general or special law to the
2252 contrary, to reduce environmental impacts of nitrogen pollution in vulnerable communities, a
2253 local or regional board of health may enter into loan agreements, subject to appropriation, with

2254 owners of domestic septic systems to provide for the repair, replacement or upgrade of domestic
2255 septic systems.

2256 (b) A loan agreement pursuant to subsection (a) shall be to finance the repair,
2257 replacement or upgrade of a domestic septic system to incorporate new enhanced nitrogen
2258 removal technology or to repair or upgrade existing enhanced nitrogen removal technology.

2259 Section 3. (a) A domestic septic system shall qualify for loan assistance if it is located
2260 within a: (i) watershed area of a nitrogen-impaired water body as identified in the latest United
2261 States Environmental Protection Agency approved final listing of the latest state Integrated List
2262 of Waters for the commonwealth; (ii) nitrogen sensitive area as defined in 310 CMR 15.002; or
2263 (iii) watershed area of a water body subject to the latest state established total maximum daily
2264 load for total nitrogen pollution that is approved by the United States Environmental Protection
2265 Agency.

2266 (b) A shared domestic septic system located within a watershed area described in
2267 subsection (a) may qualify for loan assistance pursuant to subsection (a) for the repair,
2268 replacement or upgrade, including installation, if the: (i) shared domestic septic system replaces
2269 or services not less than 2 existing domestic septic systems; and (ii) combined shared domestic
2270 septic system, including its components, has a discharge volume of less than 10,000 gallons per
2271 day and incorporates enhanced nitrogen removal technology.

2272 (c) To be eligible for loan assistance each affected owner of a structure used for human
2273 habitation benefiting directly from the shared domestic septic system shall enter into a loan
2274 agreement with the local or regional board of health in the city or town where such system is
2275 located for the repayment of the owner's proportionate share of the costs and expenses incurred

2276 by the local or regional board of health for the repair, replacement or upgrade of any part of the
2277 shared domestic septic system.

2278 (d) An owner of a domestic septic system who enters into any loan agreement shall be
2279 responsible for all expenses incurred by the local or regional board of health, directly or
2280 indirectly, or required by the local or regional board of health and incurred by the owner for such
2281 repairs, replacement or upgrade of a domestic septic system. A notice of any loan agreement
2282 shall be recorded as a betterment and shall be subject to the provisions of chapter 80 relative to
2283 the apportionment, division, reassessment and collection of assessment, abatement and
2284 collections of assessments and to interest; provided, however, that for purposes of this section,
2285 such lien shall take effect by operation of law on the day immediately following the due date of
2286 such assessment or apportioned part of such assessment and such assessment may bear interest at
2287 a rate determined by the city or town treasurer by a loan agreement with the owner at the time a
2288 loan agreement is entered into between the local or regional board of health and the property
2289 owner. In addition to remedies available under chapter 80, the property owner shall be personally
2290 liable for the repayment of the total costs incurred by the city or town under this section;
2291 provided, however, that upon assumption of such personal obligation to a purchaser or other
2292 transferee of all of the original owners interest in the property at the time of conveyance and the
2293 recording of such assumption, the owner shall be relieved of such personal liability.

2294 (e) Any costs incurred under this section may be funded by an appropriation or issuance
2295 of debt; provided, that any debt incurred shall be subject to chapter 44 and shall not exceed 20
2296 years.

2297 (f) Any appropriation or borrowing by the city or town pursuant to this section shall not
2298 be included for the purpose of computation of the levy or borrowing limits otherwise imposed
2299 upon such city or town by the General Laws.

2300 (g) An agreement between an owner of domestic septic systems and a local or regional
2301 board of health shall not be considered a breach of limitation or prohibition contained in a note,
2302 mortgage or contract on the transfer of an interest in property.

2303 Section 4. (a) For the purposes of this section, the following words shall, unless the
2304 context clearly requires otherwise, have the following meanings:

2305 “Condominium”, shall have the same meaning as defined in section 1 of chapter 183A.

2306 “Organization of unit owners”, shall have the same meaning as defined in section 1 of
2307 chapter 183A.

2308 “Unit owner”, shall have the same meaning as defined in section 1 of chapter 183A.

2309 (b) Notwithstanding chapter 183A, a local or regional board of health may enter into a
2310 betterment agreement with the organization of unit owners of a condominium to finance the
2311 repair, replacement or upgrade of a domestic septic system serving a unit, 1 or more of which is
2312 used for human habitation; provided, that the domestic septic system shall comprise part of the
2313 common areas and facilities.

2314 (c) The betterment agreement shall: (i) be approved by a majority of the unit owners
2315 benefited by the repair, replacement or upgrade of the septic system or any combination of such
2316 septic system improvements; (ii) include an identification of the units and unit owners subject to
2317 the agreement and the percentages, as set forth in the master deed, of the undivided interests of

2318 the respective units in the common area and facilities; and (iii) include a statement by an officer
2319 or trustee of the organization of unit owners certifying that the required number of unit owners
2320 have approved the agreement. As between the affected unit owners and the city or town, such
2321 certification shall be conclusive evidence of the authority of the organization of unit owners to
2322 enter into the agreement.

2323 (d) A notice of agreement shall be recorded as a betterment in the registry of deeds or
2324 registry district of the land court where the master deed is recorded and shall otherwise be
2325 subject to chapter 80 as provided for in this section.

2326 (e) The assessment under such agreement may be charged or assessed to the organization
2327 of unit owners but shall not constitute an assessment of common expenses. Instead, the allocable
2328 share of the assessment, prorated on the basis of the percentage interests of the benefited units in
2329 the common areas and facilities, shall attach as a lien only to the units identified in the recorded
2330 notice and benefited by the repair, replacement or upgrade of the domestic septic system or any
2331 combination of such domestic septic system improvements and the owners of such units shall be
2332 personally liable for their allocable share of the assessment as provided for in this section.

2333 Section 5. The department of environmental protection may promulgate regulations to
2334 carry out the purposes of this section.

2335 SECTION 14. Subsection (a) of section 2 of chapter 29E of the General Laws, inserted
2336 by section 13, is hereby amended by striking out the words “and (v) any other amounts required
2337 to be credited to the trust by operation of law, resolution or agreement entered into by the board”
2338 and inserting in place thereof the following words:- (v) any other amounts required to be credited

2339 to the trust by operation of law, resolution or agreement entered into by the board; and (vi) any
2340 amounts transferred pursuant to paragraph (2) of subsection (d) of section 168 of chapter 175.

2341 SECTION 15. Section 62E of chapter 30 of the General Laws, as appearing in the 2024
2342 Official Edition, is hereby amended by adding the following paragraph:-

2343 For the purposes of this paragraph, “nature-based solutions projects” shall include, but
2344 shall not be limited to, projects whose primary purpose is to restore, enhance or create wetland
2345 resource areas while increasing resilience or improving ecological function using natural
2346 methods and materials and “priority housing projects” shall mean housing projects that are: (i)
2347 housing-centered; (ii) dense; (iii) on infill sites; (iv) energy efficient; (v) designed to be
2348 adequately served by utilities; (vi) designed to promote resilience to flooding and other climate
2349 hazards; and (vii) designed to encourage access by multiple modes of transportation. The
2350 secretary of energy and environmental affairs, in consultation with the secretary of housing and
2351 livable communities, may establish categories of projects that are not presumed likely to cause
2352 damage to the environment and that shall not require an environmental impact report regardless
2353 of location for: (i) priority housing projects consistent with commonwealth land use planning and
2354 housing strategies and plans, climate resilient design guidelines and environmental priorities; and
2355 (ii) nature-based solutions projects. The priority housing projects and nature-based solutions
2356 projects shall meet standards determined by the secretary of energy and environmental affairs, in
2357 consultation with the secretary of housing and livable communities. Notwithstanding the
2358 foregoing, the secretary of energy and environmental affairs may determine that a particular
2359 project shall require an environmental impact report based on a review of a notification form
2360 submitted pursuant to section 62A.

2361 SECTION 16. Section 1 of chapter 61 of the General Laws, as so appearing, is hereby
2362 amended by striking out the definitions of “cut”, “forest land”, “forest products”, “certification”,
2363 “contiguous land”, “forest management plan” or “management plan” and “cutting plan” and
2364 inserting in place thereof the following 7 definitions:-

2365 “Certification”, approval of a forest management plan by the state forester.

2366 “Contiguous land”, land separated from other land under the same ownership by a public
2367 or private way, waterway or an easement for water supply.

2368 “Cut”, sever or taken from the soil.

2369 “Cutting plan”, a completed copy of a form approved by the state forester that describes
2370 the species, dimensions and quantity of a proposed forest crop to be harvested and which is
2371 certified by the state forester as being in accordance with sections 42 to 46, inclusive, of chapter
2372 132.

2373 “Forest land”, land devoted to the growth of forest products. Upon application, the state
2374 forester may allow accessory land devoted to other non-timber uses to be included in
2375 certification.

2376 “Forest management plan” or “management plan”, a completed copy of a form provided
2377 by the state forester executed by the owner and the state forester that provides for a 10-year
2378 program of forest management which may include, but shall not be limited to, intermediate and
2379 regeneration cuttings.

2380 “Forest products”, wood, timber, Christmas trees, other tree forest growth, carbon
2381 sequestration and storage and any other product produced by forest vegetation.

2382 SECTION 17. Section 8 of said chapter 61, as so appearing, is hereby amended by
2383 striking out, in lines 94 and 111, the words “section 23B of chapter 39” and inserting in place
2384 thereof, in each instance, the following words:- sections 18 to 25, inclusive, of chapter 30A.

2385 SECTION 18. Said chapter 61 is hereby further amended by adding following section:-

2386 Section 9. (a) The department of conservation and recreation shall have a first refusal
2387 option to meet a bona fide offer to purchase land proposed for sale pursuant to section 8 or an
2388 option to purchase such land at full and fair market value in the case of conversion, which option
2389 shall be subordinate to that of a town or city pursuant to section 8. Except as provided herein, the
2390 department shall have all applicable rights and obligations of cities and towns under section 8,
2391 including, but not limited to, the: (i) right of entry upon the land; (ii) provision of non-exercise
2392 notices; and (iii) recording of notices of exercise at the appropriate registry of deeds. The
2393 department or its assignee and the town or city may cooperate to satisfy the appraisal
2394 requirements or other obligations required by section 8 or this section.

2395 (b) If the notice of intent to sell or convert provided to the state forester pursuant to
2396 section 8 does not contain all the required material, then the department, within 30 days of
2397 receipt of the notice, shall notify the landowner and town or city, in writing, that the notice is
2398 insufficient and does not comply.

2399 (c) A holder of a mortgage shall send written notice of a mortgage foreclosure sale to the
2400 commissioner of the department in the same manner as to other parties as required by section 8.

2401 (d) A city or town shall provide to the commissioner any notice of: (i) public hearing; (ii)
2402 exercise or non-exercise; and (iii) assignment in the same manner, and containing the same
2403 materials, as is required to be given to the landowner pursuant to section 8.

2404 (e) The department may assign its option to the division of fisheries and wildlife of the
2405 department of fish and game; provided, that a notice of assignment shall be recorded pursuant to
2406 section 8.

2407 (f) The department or its assignee may exercise its option only after: (i) consultation with
2408 the executive office of housing and livable communities and the executive office of economic
2409 development; and (ii) holding a public hearing. Said public hearing shall be held pursuant to
2410 sections 18 to 25, inclusive, of chapter 30A within the town or city where the land is located or
2411 in 1 such town or city if the land crosses a municipal boundary and shall be held prior to
2412 submission of a written notice of intent to exercise an option under this section. The department
2413 or assignee, at said hearing, shall disclose the reasons for exercise of the option pursuant to this
2414 section and identify any assignment by the department. The department or its assignee may
2415 comply with the public hearing requirement by participating in a scheduled public meeting of a
2416 town or city.

2417 (g) The department or its assignee may exercise an option under this section by providing
2418 written notice of its intent to the town or city and landowner prior to the end of the same 120-day
2419 period available to the town or city for exercise of its option pursuant to section 8. An option so
2420 exercised shall be effective at such time as the town or city records a notice of non-exercise with
2421 the registry of deeds or at such time that the town's or city's option otherwise expires.

2422 (h) The department shall record its notice of assignment or notice of exercise within 30
2423 days of the earliest of: (i) receipt by the commissioner of a notice of non-exercise from the town
2424 or city; (ii) expiration of a town or city option by failure to record a notice of exercise or notice

2425 of assignment; or (iii) receipt by the commissioner of notice from the landowner of expiration for
2426 any other reason.

2427 (i) Land acquired by the department or the division of fisheries and wildlife pursuant to
2428 this section shall be permanently dedicated for public purposes as specified in Article XCVII of
2429 the Amendments to the Constitution of the Commonwealth.

2430 SECTION 19. Section 14 of chapter 61A of the General Laws, as appearing in the 2024
2431 Official Edition, is hereby amended by striking out, in lines 95 and 112, the words “section 23B
2432 of chapter 39” and inserting in place thereof, in each instance, the following words:- sections 18
2433 to 25, inclusive, of chapter 30A.

2434 SECTION 20. Said chapter 61A is hereby further amended by inserting after section 14
2435 the following section:-

2436 Section 14A. (a) The department of agricultural resources shall have a first refusal option
2437 to meet a bona fide offer to purchase land proposed for sale pursuant to section 14 or an option to
2438 purchase such land at full and fair market value in the case of conversion, which option shall be
2439 subordinate to that of a town or city pursuant to section 14. Except as provided herein, the
2440 department shall have all applicable rights and obligations of cities and towns under section 14,
2441 including, but not limited to, the: (i) right of entry upon the land; (ii) provision of non-exercise
2442 notices; and (iii) recording of notices of exercise at the appropriate registry of deeds. The
2443 department or its assignee and the town or city may cooperate to satisfy the appraisal
2444 requirements or other obligations required by section 14 or this section.

2445 (b) Any notice of intent to sell or convert required by section 14 and all required
2446 accompanying materials shall be provided to the commissioner of agricultural resources in the

2447 same manner as they are conveyed by the landowner to other parties. If the notice of intent to sell
2448 or convert provided to the commissioner does not contain all the required material, then the
2449 department, within 30 days of receipt of the notice, shall notify the landowner and town or city,
2450 in writing, that the notice is insufficient and does not comply.

2451 (c) A holder of a mortgage shall send written notice of a mortgage foreclosure sale to the
2452 commissioner of the department in the same manner as to other parties as required by section 14.

2453 (d) A city or town shall provide to the commissioner any notice of: (i) public hearing; (ii)
2454 exercise or non-exercise; and (iii) assignment in the same manner, and containing the same
2455 materials, as to the landowner pursuant to section 14.

2456 (e) The department may assign its option to the department of conservation and
2457 recreation; provided, that a notice of assignment shall be recorded pursuant to section 14.

2458 (f) The department or its assignee may exercise its option only after: (i) consultation with
2459 the executive office of housing and livable communities and the executive office of economic
2460 development; and (ii) holding a public hearing. Said public hearing shall be held pursuant to
2461 sections 18 to 25, inclusive, of chapter 30A within the town or city where the land is located or
2462 in 1 such town or city if the land crosses a municipal boundary and shall be held prior to
2463 submission of a written notice of intent to exercise an option under this section. The department
2464 or assignee, at said hearing, shall disclose the reasons for exercise of the option pursuant to this
2465 section and identify any assignment by the department. The department or its assignee may
2466 comply with the public hearing requirement by participating in a scheduled public meeting of a
2467 town or city.

2468 (g) The department or its assignee may exercise an option under this section by providing
2469 written notice of its intent to the town or city and landowner prior to the end of the same 120-day
2470 period available to the town or city for exercise of its option pursuant to section 14. An option so
2471 exercised shall be effective at such time as the town or city records a notice of non-exercise with
2472 the registry of deeds or that the town's or city's option otherwise expires.

2473 (h) The department shall record its notice of assignment or notice of exercise within 30
2474 days of the earliest of: (i) receipt by the commissioner of a notice of non-exercise from the town
2475 or city; (ii) expiration of a town or city option by failure to record a notice of exercise or notice
2476 of assignment; or (iii) receipt by the commissioner of notice from the landowner of expiration for
2477 any other reason.

2478 (i) Land acquired by the department of agricultural resources or the department of
2479 conservation and recreation pursuant to this section shall be permanently dedicated for public
2480 purposes as specified in Article XCVII of the Amendments to the Constitution of the
2481 Commonwealth.

2482 SECTION 21. Section 9 of chapter 61B of the General Laws, as appearing in the 2024
2483 Official Edition, is hereby amended by striking out, in lines 95 and 112, the words "section 23B
2484 of chapter 39" and inserting in place thereof, in each instance, the following words:- sections 18
2485 to 25, inclusive, of chapter 30A.

2486 SECTION 22. Said chapter 61B is hereby further amended by inserting after section 9 the
2487 following section:-

2488 Section 9A. (a) The department of conservation and recreation shall have a first refusal
2489 option to meet a bona fide offer to purchase land proposed for sale pursuant to section 9 or an

2490 option to purchase such land at full and fair market value in the case of conversion, which option
2491 shall be subordinate to that of a town or city pursuant to section 9. Except as provided herein, the
2492 department shall have all applicable rights and obligations of cities and towns under section 9,
2493 including, but not limited to, the: (i) right of entry upon the land; (ii) provision of non-exercise
2494 notices; and (iii) recording of notices of exercise at the appropriate registry of deeds. The
2495 department or its assignee and the town or city may cooperate to satisfy the appraisal
2496 requirements or other obligations required by section 9 or this section.

2497 (b) If the notice of intent to sell or convert provided to the state forester pursuant to
2498 section 9 does not contain all the required material, then the department, within 30 days of
2499 receipt of the notice, shall notify the landowner and town or city, in writing, that the notice is
2500 insufficient and does not comply.

2501 (c) A holder of a mortgage shall send written notice of a mortgage foreclosure sale to the
2502 commissioner of the department in the same manner as to other parties as required by section 9.

2503 (d) A city or town shall provide to the commissioner any notice of: (i) public hearing; (ii)
2504 exercise or non-exercise; and (iii) assignment in the same manner, and containing the same
2505 materials, as is required to be given to the landowner pursuant to section 9.

2506 (e) The department may assign its option to the division of fisheries and wildlife of the
2507 department of fish and game; provided, that a notice of assignment shall be recorded pursuant to
2508 section 9.

2509 (f) The department or its assignee may exercise its option only after: (i) consultation with
2510 the executive office of housing and livable communities and the executive office of economic
2511 development; and (ii) holding a public hearing. Said public hearing shall be held pursuant to

2512 sections 18 to 25, inclusive, of chapter 30A within the town or city where the land is located or
2513 in 1 such town or city if the land crosses a municipal boundary and shall be held prior to
2514 submission of a written notice of intent to exercise an option under this section. The department
2515 or assignee, at said hearing, shall disclose the reasons for exercise of the option pursuant to this
2516 section and identify any assignment by the department. The department or its assignee may
2517 comply with the public hearing requirement by participating in a scheduled public meeting of a
2518 town or city.

2519 (g) The department or its assignee may exercise an option under this section by providing
2520 written notice of its intent to the town or city and landowner prior to the end of the same 120-day
2521 period available to the town or city for exercise of its option pursuant to section 9. An option so
2522 exercised shall be effective at such time as the town or city records a notice of non-exercise with
2523 the registry of deeds or at such time that the town's or city's option otherwise expires.

2524 (h) The department shall record its notice of assignment or notice of exercise within 30
2525 days of the earliest of: (i) receipt by the commissioner of a notice of non-exercise from the town
2526 or city; (ii) expiration of a town or city option by failure to record a notice of exercise or notice
2527 of assignment; or (iii) receipt by the commissioner of notice from the landowner of expiration for
2528 any other reason.

2529 (i) Land acquired by the department of conservation and recreation or the department of
2530 fish and game pursuant to this section shall be permanently dedicated for public purposes as
2531 specified in Article XCVII of the Amendments to the Constitution of the Commonwealth.

2532 SECTION 22A. Section 1 of chapter 64H of the General Laws, as appearing in the 2024
2533 Official Edition, is hereby amended by inserting after the definition of “Retail establishment” the
2534 following definition:-

2535 “Rolling stock”, trucks, tractors and trailers, used by common carriers to transport goods
2536 in interstate commerce.

2537 SECTION 22B. Section 6 of said chapter 64H, as so appearing, is hereby amended by
2538 adding the following subsection:-

2539 (aaa) Sales of rolling stock.

2540 SECTION 22C. Section 1 of chapter 64I of the General Laws, as so appearing, is hereby
2541 amended by inserting after the words ““retail establishment””, in line 7, the following words:- ,
2542 “rolling stock”.

2543 SECTION 22D. Section 7 of said chapter 64I, as so appearing, is hereby amended by
2544 adding the following subsection:-

2545 (f) Storage, use or other consumption of rolling stock.

2546 SECTION 22E. Section 9 of chapter 90 of the General Laws, as so appearing, is hereby
2547 amended by striking out the third sentence and inserting in place thereof the following sentence:-

2548 A tractor, trailer, truck or all-terrain vehicle may be operated without such registration upon any
2549 way for a distance not exceeding one-half mile, if said tractor, trailer, truck or all-terrain vehicle
2550 is used exclusively for agricultural purposes consistent with section 1A of chapter 128, or
2551 between one-half mile and 10 miles if said tractor, trailer, truck or all-terrain vehicle is used
2552 exclusively for such agricultural purposes and the owner thereof maintains in full force a policy

2553 of liability insurance which conforms to section 113A of chapter 175, or for a distance not
2554 exceeding 300 yards, if such tractor, trailer, truck or all-terrain vehicle is used for industrial
2555 purposes other than agricultural purposes, for the purpose of going from property owned or
2556 occupied by the owner of such tractor, trailer, truck or all-terrain vehicle to other property so
2557 owned or occupied.

2558 SECTION 22F. Said section 9 of said chapter 90, as so appearing, is hereby further
2559 amended by adding the following 3 paragraphs:-

2560 For the purposes of this section, an all-terrain vehicle shall include those vehicles known
2561 as a quad, quad bike, 3-wheeler, 4-wheeler or quadricycle as defined by the American National
2562 Standards Institute. Persons utilizing all-terrain vehicles pursuant to this section shall annually
2563 notify the police department in the municipalities in which they are to operate of the public way
2564 and sections of public way on which they operate in the course of agricultural purposes. Failure
2565 to provide such notification may result in penalties pursuant to section 20.

2566 All-terrain vehicles operating pursuant to this section shall be equipped with a safety flag
2567 of not less than 36 square inches in area which shall be elevated to no less than 6 feet from the
2568 ground and shall be equipped with a flashing red light mounted to the rear of the vehicle. If
2569 designed to travel at 25 miles per hour or less, the all-terrain vehicle shall display a “slow
2570 moving vehicle” emblem pursuant to section 7.

2571 Vehicles traveling on a public way subject to this section shall be operated by a licensed
2572 driver. No all-terrain vehicle shall operate on a public way between sunset and sunrise. No all-
2573 terrain vehicle shall be operated on a public way for recreational or other purposes except as

2574 authorized in this section and section 25 of chapter 90B, regarding crossing road at designated
2575 points.

2576 SECTION 23. Section 2 of chapter 91 of the General Laws, as appearing in the 2024
2577 Official Edition, is hereby amended by striking out, in line 22, the words “and council” and
2578 inserting in place thereof the following words:- or a designee.

2579 SECTION 24. Section 2A of said chapter 91, as so appearing, is hereby amended by
2580 striking out, in lines 11, 15 and 20, the words “and council” and inserting in place thereof, in
2581 each instance, the following words:- or a designee.

2582 SECTION 25. Section 4 of said chapter 91, as so appearing, is hereby amended by
2583 striking out, in line 4, the words “and council” and inserting in place thereof the following
2584 words:- or a designee.

2585 SECTION 26. Section 5 of said chapter 91, as so appearing, is hereby amended by
2586 striking out, in line 1, the words “and council” and inserting in place thereof the following
2587 words:- or a designee.

2588 SECTION 27. Section 6 of said chapter 91, as so appearing, is hereby amended by
2589 striking out, in lines 9 and 10, the words “and council” and inserting in place thereof the
2590 following words:- or a designee.

2591 SECTION 28. Section 9A of said chapter 91, as so appearing, is hereby amended by
2592 striking out, in lines 17 and 18, the words “and council” and inserting in place thereof the
2593 following words:- or a designee.

2594 SECTION 29. Section 13 of said chapter 91, as so appearing, is hereby amended by
2595 striking out, in lines 11 and 12, the words “and council” and inserting in place thereof the
2596 following words:- or a designee.

2597 SECTION 30. Section 14 of said chapter 91, as so appearing, is hereby amended by
2598 striking out, in lines 6 and 7, the words “and council” and inserting in place thereof the following
2599 words:- or a designee.

2600 SECTION 31. Section 18 of said chapter 91, as so appearing, is hereby amended by
2601 striking out, in lines 55 and 56, the words “newspaper or newspapers having a circulation in the
2602 area affected by said license at the expense of the applicant” and inserting in place thereof the
2603 following words:- manner specified by the department in regulations for the area affected by said
2604 license at the expense of the applicant. Until the regulations become effective, the notice shall be
2605 published at the same time as the preceding notices in a newspaper or newspapers having
2606 circulation in the area affected by the license at the expense of the applicant.

2607 SECTION 32. Said section 18 of said chapter 91, as so appearing, is hereby further
2608 amended by striking out the tenth paragraph and inserting in place thereof the following
2609 paragraph:-

2610 No license shall be granted for private tidelands unless, upon or prior to applying for a
2611 license pursuant to this section, the applicant shall submit to the clerk of the affected cities or
2612 towns where the work is to be performed an application containing the proposed use, the
2613 location, the dimensions and limits and the mode of work to be performed.

2614 SECTION 33. Said chapter 91 is hereby further amended by inserting after section 18C
2615 the following 2 sections:-

2616 Section 18D. (a) For the purposes of this section, “nature-based solutions projects” shall
2617 include, but shall not be limited to, projects whose primary purpose is to restore, enhance or
2618 create wetland resource areas while increasing resilience or improving ecological function using
2619 natural methods and materials.

2620 (b) Notwithstanding any general or special law to the contrary, the department may issue
2621 a general license and general permit authorizing dredging, fill and structures associated with
2622 certain activities and projects, as specified by the department, in tidelands, great ponds, rivers
2623 and streams that are otherwise subject to individual licensing under sections 12, 12A, 13, 14, 18
2624 and 19, including, but not limited to: (i) marsh restoration and other ecosystem creation or
2625 restoration activities, such as vegetative plantings and streambed alteration that could include
2626 wads, and pedestrian bridge crossings; (ii) nature-based solutions projects; (iii) culvert
2627 replacements, including, but not limited to, those associated with bridges; (iv) great pond
2628 drawdowns; (v) dredging and placement of benthic barriers for invasive vegetation removal and
2629 harvesting; (vi) aquaculture not eligible for a permit or license under section 10A; (vii) dredging
2630 associated with activities not subject to licensing or permitting; (viii) temporary navigational and
2631 access impacts that last less than 1 year and are associated with activities not subject to licensing
2632 or permitting; (ix) pipelines, cables, conduits, sewers and similar structures installed under
2633 flowed tidelands or great ponds that are entirely embedded in the soil and that are installed by
2634 horizontal directional drilling or micro tunneling methods; (x) placement of cultch; and (xi) any
2635 other activities and projects that the department determines through regulations to be subject to a
2636 general license or permit.

2637 (c) Projects beyond any established harbor line shall not be eligible for coverage under a
2638 general license or permit pursuant to this section unless the project is specifically authorized by

2639 law, or, if not so authorized, is limited to dredging activities or a structure or fill that is entirely
2640 embedded in the soil and does not in any part occupy or project into such tidewater beyond the
2641 harbor line; provided, however, that the department may at any time require any structure or fill
2642 to be removed or relocated if channel changes or alteration demands the same, as required by
2643 section 14; and provided further, that this subsection shall not affect the eligibility of projects in
2644 areas without established harbor lines.

2645 (d) The department may consider the cumulative impacts of activities in a geographic
2646 area in determining whether a particular project is appropriate for coverage under a general
2647 license or permit.

2648 (e) A licensee or permittee pursuant to this section shall comply with all general license
2649 or permit standards issued as regulations by the department and any specific conditions
2650 prescribed by the department pursuant to the general license or permit.

2651 (f) A proponent of a project eligible for coverage under a general license or permit
2652 pursuant to this section shall certify compliance with its terms and conditions to the department
2653 and shall pay all applicable fees required by this chapter before beginning construction. The
2654 department may perform annual audits to monitor compliance with the general license or permit
2655 requirements of this section.

2656 (g)(1) Upon or prior to applying for coverage under a general license or permit pursuant
2657 to this section, the project proponent shall: (i) submit to the planning board of a city or town
2658 where the work is to be performed and to the clerk of said city or town a statement of the
2659 proposed use, the location, the dimensions and limits and the mode of work to be performed; (ii)
2660 provide notice to the select board of the town or the mayor of the city and the conservation

2661 commission of the town or city where the work is to be performed; and (iii) provide public notice
2662 in a manner specified by the department by regulation.

2663 (2) The project proponent shall specify by metes, bounds and otherwise the location,
2664 dimensions and limits and mode of performing the work and shall submit a plan of the work or
2665 structure in its application to the department for coverage under the general license or permit.

2666 (3) A department certification for the general license for a project shall be void unless,
2667 within 60 days after certification, the department certification and the accompanying plan
2668 pursuant to paragraph (2) are recorded in the registry of deeds for the county or district in which
2669 the work is to be performed. Work or change in use shall not commence until the department
2670 general license certification is recorded and the department has received notification of said
2671 recordation. Such recording requirement shall not apply to a certification to the general permit.

2672 (4) Assessments for tidewater displacement and occupation of commonwealth tidelands
2673 shall be paid by the project proponent in its application for coverage to the department.

2674 (h) Any change in use or structural alteration of a licensed or permitted structure or fill
2675 shall require a new application to the department and, for projects seeking new coverage under a
2676 general license or general permit, compliance with the requirements of subsection (g). Any
2677 unauthorized substantial change in use or unauthorized substantial structural alteration shall
2678 render coverage under the general license or permit void. Coverage under the general license or
2679 permit granted by the department pursuant to this chapter shall be revocable by the department
2680 for noncompliance with the conditions set forth therein. The department shall not revoke
2681 coverage under any general license or permit until it has given written notice of the alleged
2682 noncompliance to the licensee or permittee and any person who has filed a written request for

2683 such notice with the department and afforded such person a reasonable opportunity to correct
2684 said noncompliance.

2685 (i) Sections 18 and 20 shall not apply to projects subject to a general license or permit;
2686 provided, however, that the project proponent shall submit to the department plans of any
2687 proposed work to be performed and a copy of any legislative grant in its application for coverage
2688 to the department.

2689 (j)(1) The department shall adopt regulations to implement this section. Such regulations
2690 shall prescribe which activities are eligible for the general license or general permit and those
2691 projects that may allow for fill or structures to acclimatize to natural conditions; provided, that
2692 such projects shall not significantly interfere with any rights held by the commonwealth in trust
2693 for the public to use tidelands, great ponds and other waterways for lawful purposes and public
2694 rights of access on private tidelands, great ponds and other waterways for any lawful use.

2695 (2) The department shall submit any regulations promulgated under this section to the
2696 joint committee on environment and natural resources for its review within 60 days prior to the
2697 effective date of said regulations.

2698 Section 18E. (a) For the purposes of this section, “priority housing projects” shall mean
2699 housing projects that are: (i) housing-centered; (ii) dense; (iii) on infill sites; (iv) energy efficient;
2700 (v) designed to be adequately served by utilities; (vi) designed to promote resilience to flooding
2701 and other climate hazards; and (vii) designed to encourage access by multiple modes of
2702 transportation.

2703 (b) Notwithstanding any general or special law to the contrary, the department may issue
2704 a general license authorizing priority housing projects consistent with commonwealth land use

2705 planning and housing strategies and plans, climate resilient design guidelines and environmental
2706 priorities in tidelands otherwise subject to individual licensing pursuant to sections 12, 12A, 13,
2707 14, 18 and 19.

2708 (c) Projects beyond any established harbor line shall not be eligible for coverage under a
2709 general license pursuant to this section unless the project is specifically authorized by law, or, if
2710 not so authorized, is limited to dredging activities or a structure or fill that is entirely embedded
2711 in the soil and does not in any part occupy or project into such tidewater beyond the harbor line;
2712 provided, however, that the department may at any time require any structure or fill to be
2713 removed or relocated if channel changes or alteration demands the same, as required by section
2714 14; and provided further, that this subsection shall not affect the eligibility of projects in areas
2715 without established harbor lines.

2716 (d) The department may consider the cumulative impacts of activities in a geographic
2717 area in determining whether a particular project is appropriate for coverage under a general
2718 license.

2719 (e) A licensee pursuant to this section shall comply with all general license standards
2720 issued as regulations by the department and any specific conditions prescribed by the department
2721 pursuant to the general license.

2722 (f) A proponent of a project eligible for coverage under a general license pursuant to this
2723 section shall certify compliance with its terms and conditions to the department and shall pay all
2724 applicable fees required by this chapter before beginning construction. The department may
2725 perform annual audits to monitor compliance with the general license requirements of this
2726 section.

2727 (g)(1) Upon or prior to applying for coverage under a general license pursuant to this
2728 section, the project proponent shall: (i) submit to the planning board of a city or town where the
2729 work is to be performed and to the clerk of said city or town a statement of the proposed use, the
2730 location, the dimensions and limits and the mode of work to be performed; (ii) provide notice to
2731 the select board of the town or the mayor of the city and the conservation commission of the
2732 town or city where the work is to be performed; and (iii) provide public notice in a manner
2733 specified by the department by regulation.

2734 (2) The project proponent shall specify by metes, bounds and otherwise the location,
2735 dimensions and limits and mode of performing the work and shall submit a plan of the work or
2736 structure in its application to the department for coverage under the general license.

2737 (3) A department certification for the general license for a project shall be void unless,
2738 within 60 days after certification, the department certification and the accompanying plan
2739 pursuant to paragraph (2) are recorded in the registry of deeds for the county or district where the
2740 work is to be performed. Work or change in use shall not commence until the department general
2741 license certification is recorded and the department has received notification of said recordation.

2742 (4) Assessments for tidewater displacement and occupation of commonwealth tidelands
2743 shall be paid by the project proponent in its application for coverage to the department.

2744 (h) Any change in use or structural alteration of a licensed structure or fill shall require a
2745 new application to the department and, for projects seeking new coverage under a general
2746 license, compliance with the requirements of subsection (g). Any unauthorized substantial
2747 change in use or unauthorized substantial structural alteration shall render coverage under the
2748 general license void. Coverage under the general license granted by the department pursuant to

2749 this chapter shall be revocable by the department for noncompliance with the conditions set forth
2750 therein. The department shall not revoke coverage under any general license until it has given
2751 written notice of the alleged noncompliance to the licensee and any person who has filed a
2752 written request for such notice with the department and afforded such persons a reasonable
2753 opportunity to correct said noncompliance.

2754 (i) Sections 18 and 20 shall not apply to projects subject to a general license; provided,
2755 however, that the project proponent shall submit to the department plans of any proposed work to
2756 be performed and a copy of any legislative grant in its application for coverage to the
2757 department.

2758 (j)(1) The department shall adopt regulations to implement this section. Such regulations
2759 shall prescribe which activities are eligible for the general license and those projects that may
2760 allow for fill or structures to acclimatize to natural conditions; provided, however, that such
2761 projects shall not significantly interfere with any rights held by the commonwealth in trust for
2762 the public to use tidelands, great ponds and other waterways for lawful purposes and public
2763 rights of access on private tidelands, great ponds and other waterways for any lawful use.

2764 (2) The department shall submit any regulations promulgated under this section to the
2765 joint committee on environment and natural resources for its review within 60 days prior to the
2766 effective date of said regulations.

2767 SECTION 34. Section 31 of said chapter 91, as appearing in the 2024 Official Edition, is
2768 hereby amended by striking out, in line 9, the words “and council” and inserting in place thereof
2769 the following words:- or a designee.

2770 SECTION 35. Section 35 of said chapter 91, as so appearing, is hereby amended by
2771 adding the following paragraph:-

2772 Except as otherwise provided in this chapter, the commonwealth shall retain title to any
2773 waters or land below the low water line of a great pond in perpetuity. Persons passing by foot
2774 over areas between high water and low water lines of a great pond shall not be in violation of
2775 section 120 of chapter 266 nor subject to arrest for trespass; provided, that said persons shall
2776 remain within an area that a reasonable person would believe to be below the high water line,
2777 which shall include areas of wet sand and areas below the seaweed line. In areas where natural
2778 processes, with or without human intervention, have caused the landward or lateral movement of
2779 a barrier beach into an area below the historic low water line of any great pond, the portion of the
2780 barrier beach relocated into the former bottom of the great pond shall be and remain in
2781 commonwealth ownership in perpetuity; provided, that this paragraph shall not convert
2782 ownership of any portion of private property to public ownership in violation of Article X of the
2783 Declaration of Rights of the Constitution of the Commonwealth or the Fourteenth Amendment of
2784 the United States Constitution. As used in this paragraph, the term “barrier beach” shall mean a
2785 narrow low-lying strip of land generally consisting of coastal beaches and coastal dunes
2786 extending roughly parallel to the trend of the coast that is separated from the mainland by a
2787 narrow body of fresh, brackish or saline water or a marsh system. A barrier beach may be joined
2788 to the mainland at 1 or both ends.

2789 SECTION 36. Said chapter 91 is hereby further amended by adding the following
2790 section:-

2791 Section 65. (a)(1) The secretary, in consultation with the commissioner of environmental
2792 protection and the commissioner of fish and game, shall establish standards and guidelines for
2793 the resilient design of culverts, including, but not limited to, culverts associated with bridges and
2794 culverts that are crossed by freshwater, saltwater or brackish water. The purpose of the standards
2795 and guidelines shall be to expedite the permitting of new municipal or replacement of existing
2796 municipal culverts. The standards and guidelines shall consider projected future levels of and
2797 impacts from precipitation, stormwater or flood events and impacts to fisheries and wildlife and
2798 their habitats and shall integrate the Massachusetts stream crossing standards and any other
2799 relevant standards, including then-current tidal crossing standards or resilience design standards.
2800 The standards and guidelines shall be based on scientific information, including, but not limited
2801 to, projected precipitation, hydrology and fisheries and wildlife and their habitats.

2802 (2) The secretary, in consultation with the commissioner of environmental protection and
2803 the commissioner of fish and game, shall review the standards and guidelines not later than 5
2804 years after they have been in effect.

2805 (3) Nothing in this section shall be construed to limit the authority of the department of
2806 environmental protection to establish standards and guidelines for stream crossings; provided,
2807 that such standards shall not conflict with the standards established by the secretary pursuant to
2808 this section.

2809 (b) No project shall be eligible for a general permit, general license or inclusion in a
2810 special category pursuant to subsections (d) to (f), inclusive, unless the project meets each of the
2811 following criteria:

2812 (i) the project involves a municipal project to repair, reconstruct or replace an existing
2813 municipal culvert or culverts, including culverts associated with bridges with spans of less than
2814 20 feet;

2815 (ii) the project complies with the standards and guidelines issued pursuant to subsection
2816 (a) to the extent practicable;

2817 (iii) except as needed to comply with clause (ii), the project provides substantially the
2818 same principal transportation capacity and is in a similar alignment to the structure to be
2819 repaired, reconstructed or replaced, including as to the immediate approaches necessary to
2820 connect a structure to an existing adjacent road, and the project does not include components of a
2821 reconstruction project other than the crossing and immediate approaches that are otherwise
2822 subject to permitting or licensing; provided, that the addition of sidewalks, bike lanes or
2823 shoulders that are collectively less than a single lane in width shall not be deemed to
2824 substantially change the principal transportation capacity of an existing structure;

2825 (iv) if a project is located or will take place in priority habitat designated by the natural
2826 heritage and endangered species program of the division of fisheries and wildlife, the proponent
2827 has provided to that program for review all materials required by the program and the program
2828 has completed its review and has determined that the proponent has demonstrated that the project
2829 will not result in take with or without conditions; and

2830 (v) the project complies with any other conditions established by regulations issued
2831 pursuant to this section.

2832 (c) The secretary of energy and environmental affairs and the commissioner of
2833 environmental protection shall issue any regulations or take other actions necessary or

2834 appropriate to implement the use of the standards and guidelines established under subsection (a)
2835 to expedite implementation of projects meeting the criteria described in subsection (b) which
2836 require a certificate, permit, license or other approval pursuant to: (i) section 61 and sections 62A
2837 to 62L, inclusive, of chapter 30; (ii) chapter 91; (iii) section 40 of chapter 131; and (iv) section
2838 401 of the federal Water Pollution Control Act, Public Law 92-500, 33 U.S.C. section 1251 et
2839 seq., as amended. Any regulations shall require that for projects meeting the criteria described in
2840 subsection (b), the department of environmental protection shall issue, deny or waive individual
2841 certifications pursuant to said section 401 of the federal Water Pollution Control Act not later
2842 than 60 days of receipt of a complete application.

2843 (d)(1) The department of environmental protection, for projects meeting the criteria
2844 described in subsection (b) and for the purposes of ensuring more expeditious processing of
2845 approvals for such projects, shall issue regulations that create a general permit for the
2846 authorization of such projects, or a subset thereof, under section 40 of chapter 131.

2847 (2) The permittee shall comply with all general permit performance standards established
2848 by such regulations and any additional conditions specified by the approving authority that are
2849 necessary to protect the resource areas because of unique circumstances that are not addressed by
2850 the general permit performance standards. Local wetlands bylaws and ordinances shall not apply
2851 to the projects authorized under the general permit.

2852 (3) The procedures described in said section 40 of said chapter 131 shall apply to general
2853 permits issued pursuant to this subsection; provided, however, that:

2854 (A) Written notice of intention under the general permit shall be submitted to the
2855 conservation commission or its authorized representative and the department of environmental

2856 protection by electronic delivery in a manner prescribed by the department. A person submitting
2857 a notice of intention shall publish notification of the proposed project in a print newspaper of
2858 local or general circulation, or a newspaper's website, including on-line only newspaper
2859 publications, or a statewide or city- or town-wide website that may be maintained as a repository
2860 for such notices at the time of submittal of the notice of intention. Said notification shall describe
2861 the project location, details of the project, resource area impacts and any other relevant
2862 information needed to adequately describe the proposed project and shall specify that comments
2863 be sent within 14 days of publication to the conservation commission and the appropriate
2864 regional office of the department of environmental protection based on the location where the
2865 activities are proposed. No public hearing shall be required.

2866 (B) If, after reviewing the notice of intention, the conservation commission determines
2867 the project meets the criteria described in subsection (b), including any standards developed by
2868 the department of environmental protection, then the conservation commission shall issue an
2869 order of conditions containing any conditions pursuant to regulations established under
2870 paragraph (1) of subsection (d) not later than 42 days of a complete notice of intention under this
2871 general permit. Notices of intention not meeting the criteria of this paragraph shall be denied.

2872 (4) If a conservation commission fails to issue an order of conditions or denial within the
2873 required time period, the project proponent may, not later than 10 days after such failure to act,
2874 request a superseding order of conditions from the department of environmental protection. The
2875 department of environmental protection shall make a decision and issue a written order or denial
2876 not later than 42 days from receipt of a complete application.

2877 (5) The twentieth paragraph of section 40 of chapter 131 shall not apply to the general
2878 permit except that not later than 10 days of receipt by the department of environmental
2879 protection of an order of conditions issued pursuant to this general permit, the department may
2880 appeal such order of conditions pursuant to said twentieth paragraph of said section 40 of said
2881 chapter 131.

2882 (e) Notwithstanding any general or special law to the contrary, the department of
2883 environmental protection, for projects meeting the criteria described in subsection (b) and for the
2884 purposes of ensuring more expeditious processing of approvals for such projects, shall issue
2885 regulations to create a general license for the authorization of such projects, or a subset thereof,
2886 which are otherwise subject to individual licensing under sections 12, 12A, 13, 14, 18 and 19.
2887 Licensees shall comply with any general license performance standards established by such
2888 regulations and any additional conditions specified by the department. A proponent of a project
2889 eligible for a general license under this section shall certify compliance with its terms and
2890 conditions to the department on such timelines as the department requires and shall pay all
2891 applicable fees required by the department. The department shall review such certification and, if
2892 consistent with the general license, confirm compliance in writing not later than 60 days of
2893 receipt of a complete application. No construction subject to said chapter 91 shall commence
2894 prior to issuance of such certification by the department. The regulations shall protect and
2895 preserve any rights held by the commonwealth in trust for the public to use tidelands, great
2896 ponds and other waterways for lawful purposes and public rights of access on private tidelands,
2897 great ponds and other waterways for any lawful use. Subsections (g) to (i), inclusive, of section
2898 18D shall apply to general licenses issued pursuant to this paragraph.

2899 (f) Notwithstanding any general or special law to the contrary, the secretary may by
2900 regulation provide that projects meeting the criteria described in subsection (b), or a subset of
2901 such projects, shall be a special category of project which shall not require an environmental
2902 impact report under section 62B of chapter 30 regardless of location.

2903 (g) The department of environmental protection shall consolidate adjudicatory
2904 proceedings regarding the same proposed project that are requested for permits and licenses
2905 pursuant to subsections (d) to (f), inclusive, or certifications pursuant to subsection (c) unless
2906 consolidation would not contribute to expeditious resolution of the appeals.

2907 (h) The department and executive office shall provide support and guidance to cities and
2908 towns to assist them in applying concurrently for and otherwise streamlining the review and
2909 approval of projects eligible for general permits, general licenses or other approvals pursuant to
2910 this section.

2911 (i) Nothing in this section shall be construed to change the application of section 24 of
2912 chapter 79 of the acts of 2014.

2913 SECTION 37. Section 65 of said chapter 91 is hereby repealed.

2914 SECTION 38. Section 33 of chapter 92 of the General Laws, as appearing in the 2024
2915 Official Edition, is hereby amended by striking out the fourth paragraph.

2916 SECTION 39. Subsections (c) and (d) of section 34B of said chapter 92 are hereby
2917 repealed.

2918 SECTION 40. Sections 37 and 38 of said chapter 92 are hereby repealed.

2919 SECTION 41. Section 42 of said chapter 92, as appearing in the 2024 Official Edition, is
2920 hereby amended by striking out the first sentence and inserting in place thereof the following
2921 sentence:- The commission may grant to towns, or to a water or sewer authority or district,
2922 locations for common sewers and drains or water supply infrastructure in and across roadways
2923 and any associated rights of way under its care and control.

2924 SECTION 42. Said section 42 of said chapter 92, as so appearing, is hereby further
2925 amended by inserting after the word “sewer”, in line 3, the following words:- or water supply
2926 infrastructure of a town.

2927 SECTION 43. The seventeenth paragraph of section 150A of chapter 111 of the General
2928 Laws, as so appearing, is hereby amended by inserting after the first sentence the following 3
2929 sentences:- Personnel or authorized agents of the department may, at all reasonable times, enter
2930 any premises, public or private, for the purpose of investigating, sampling or inspecting any
2931 records, condition, equipment, practice or property relating to activities subject to this section,
2932 and may, at any time, enter such premises for the purpose of protecting the public health or
2933 safety or to prevent damage to the environment. For the purposes of any entry described in the
2934 preceding sentence, no warrant shall be required; provided, however, that upon demand by the
2935 owner or person in control of such premises, a warrant authorizing such entry and inspection
2936 shall be sought after such demand. Any court, judge or justice authorized to issue warrants in
2937 criminal cases may issue such warrants.

2938 SECTION 44. Section 2B of chapter 128 of the General Laws, as so appearing, is hereby
2939 amended by striking out the last sentence and inserting in place thereof the following 2
2940 sentences:- Whoever violates this section or section 2A, or any rule or regulation made

2941 thereunder, shall be punished by: (i) a fine of not more than \$10,000 or imprisonment for not
2942 more than 2 ½ years, or both; or (ii) a civil administrative penalty issued by the department not to
2943 exceed \$500 per offense; provided, that the total administrative penalties assessed in any given
2944 action under this section shall not exceed \$10,000. Each violation shall constitute a separate
2945 offense, and each day a violation continues shall constitute a separate offense.

2946 SECTION 45. Section 2C of said chapter 128, as so appearing, is hereby amended by
2947 inserting after the word “owner”, in line 12, the following words:- , trainer or driver.

2948 SECTION 46. Said section 2C of said chapter 128, as so appearing, is hereby further
2949 amended by inserting after the word “by”, in line 13, the following words:- , trained by, driven
2950 by.

2951 SECTION 47. Said section 2C of said chapter 128, as so appearing, is hereby further
2952 amended by inserting after the third paragraph the following 3 paragraphs:-

2953 Any owner, trainer or driver of any animal that tests positive for the presence of drugs, as
2954 defined in regulations promulgated by the department, in any other state shall be prohibited from
2955 entering any animal in a drawing contest in the commonwealth for 2 years from the date of any
2956 such drug test; provided, however, that the commissioner may authorize a lesser prohibition of
2957 not less than 1 year for good cause.

2958 Notification from any other state of a positive drug test shall be prima facie evidence that
2959 a drug has been administered and shall result in automatic prohibition from entry in a drawing
2960 contest in the commonwealth without further testing or investigation required by the department.

2961 Any animal participating in a contest conducted under paragraph (f) of section 2 shall
2962 have a radio frequency identification or microchip implant for identification purposes. The pull
2963 superintendent or the assistant pull superintendent at such contest shall verify the animal's
2964 identification at the time of weigh-in and at the time of entry for the purposes of ensuring the
2965 animal has not tested positive for the presence of drugs in violation of this section.

2966 SECTION 47A. Said chapter 128 is hereby further amended by inserting after section 2E
2967 the following section:-

2968 Section 2F. All rodeos held in the commonwealth shall comply with all official rodeo
2969 rules as appearing in the most recently published edition of the Professional Rodeo Cowboy
2970 Association Rule Book. For the purposes of this section, the word "rodeo" shall mean a
2971 competition or exhibition in which individuals compete by or showcase skills associated with
2972 traditional cowboy activities, including, but not limited to, bull riding, bronc riding, bareback
2973 bronc riding, steer wrestling, calf roping and team roping and shall include the use of animals,
2974 including, but not limited to, bulls, steers, calves, broncs and horses.

2975 SECTION 48. Sections 13A and 13B of said chapter 128 are hereby repealed.

2976 SECTION 49. Said chapter 128 is hereby amended by striking out sections 51 to 63,
2977 inclusive, as appearing in the 2024 Official Edition, and inserting in place thereof the following
2978 11 sections:-

2979 Section 51. As used in sections 51 to 61, inclusive, the following words shall, unless the
2980 context clearly requires otherwise, have the following meanings:

2981 “Commercial feed”, all materials or combination of materials which are distributed or
2982 intended for distribution for use as feed or for mixing in feed, unless such materials are
2983 specifically exempted by the department in regulations.

2984 “Customer-formula feed”, commercial feed which consists of a mixture of commercial
2985 feeds or feed ingredients, each batch of which is manufactured according to the specific
2986 instructions of the final purchaser.

2987 “Distribute”, to offer for sale, sell, exchange, barter, supply, furnish or otherwise provide
2988 commercial feed.

2989 “Drug”, any article intended for use in the diagnosis, cure, mitigation, treatment or
2990 prevention of disease in animals other than humans, and articles other than commercial feed
2991 intended to affect the structure or any function of the animal body.

2992 “Feed”, any substance that is intended for use as food for animals other than humans;
2993 provided, that “feed” shall include commercial feed and feed ingredients.

2994 “Forage”, dry hay, grass, legumes, haylage, baleage, corn and silage.

2995 “Label”, a display of written, printed or graphic matter upon or affixed to the container in
2996 which a commercial feed is distributed, or on the invoice or delivery slip with which a
2997 commercial feed is distributed.

2998 “Manufacture”, to grind, mix or blend, or further process a commercial feed for
2999 distribution.

3000 “Official sample”, a sample of commercial feed taken by the department pursuant to
3001 section 59.

3002 “Person”, an individual, partnership, corporation, limited liability company, cooperative,
3003 business trust, business association or entity.

3004 Section 52. (a) No person shall manufacture or distribute commercial feed in the
3005 commonwealth without first obtaining a registration for such feed from the department.

3006 (b) An application for registration of commercial feed shall include:

3007 (i) the name and address of the applicant;

3008 (ii) the name and address of the premises of the applicant’s commercial feed operation;

3009 (iii) a label required pursuant to section 53 or other printed matter including, but not
3010 limited to, handling instructions, precautions and other relevant information, describing the
3011 commercial feed;

3012 (iv) a written consent allowing the department to conduct both scheduled and random
3013 inspections, including, but not limited to: (A) for-cause inspections in response to complaints
3014 made to the department; and (B) inspections of and around the premises on which the
3015 commercial feed is being manufactured or distributed;

3016 (v) a nonrefundable application fee in an amount that shall be established by the
3017 department by regulation; and

3018 (vi) any other information as the department may require by regulation.

3019 (c) Upon approval by the department, a copy of the registration shall be furnished to the
3020 applicant and the applicant shall be required to submit a registration fee in an amount to be
3021 determined by the department by regulation. All registrations shall expire on December 31 of

3022 each year. Failure to submit all required application materials and information required pursuant
3023 to subsection (b) shall result in non-issuance of the registration until such time as all application
3024 requirements have been met to the department's satisfaction.

3025 (d) Persons who have registered a commercial feed pursuant to this section shall notify
3026 the department of any changes in the guarantee of either chemical or ingredient composition of
3027 such feed not less than 30 days prior to the registrant's intended manufacture or distribution of
3028 such feed in the commonwealth. New registration of the commercial feed shall not be required if
3029 the department determines that such change would not result in lowering the feed value of the
3030 commercial feed for the purpose for which it was designed.

3031 (e) The department may refuse the registration of any application not in compliance with
3032 sections 51 to 61, inclusive, or regulations issued thereunder, and may cancel any registration
3033 subsequently found to violate any provision thereof; provided, however, that no application shall
3034 be refused and no registration shall be cancelled without first providing the applicant or
3035 registrant an opportunity to amend the application or otherwise obtain an adjudicatory hearing
3036 pursuant to chapter 30A and the regulations promulgated thereunder concerning the refusal of an
3037 application or cancellation of a registration.

3038 (f) This section and sections 53 to 61, inclusive, shall not apply to a farmer who grows
3039 feed in the commonwealth that consists of forage and who distributes such feed to another
3040 farmer in the commonwealth; provided, however, that such feed shall not: (i) contain any drug;
3041 (ii) be manufactured; and (iii) be customer-formula feed. For purposes of this subsection, the
3042 addition of preservatives when harvesting, cutting, bailing, wrapping or fermenting such feed
3043 shall not be considered manufacturing.

3044 Section 53. (a) A commercial feed manufactured or distributed in the commonwealth
3045 shall be labeled in compliance with this section.

3046 (b) Commercial feed, except a customer-formula feed, shall be accompanied by a label
3047 bearing, at a minimum, the following information:

3048 (i) the quantity of the commercial feed within the package, including, but not limited to,
3049 weight, volume or other applicable methods of measurement;

3050 (ii) the product name and the brand name, if any, under which the commercial feed is
3051 distributed;

3052 (iii) the guaranteed analysis stated in terms as required by the department through
3053 regulations to advise the user of the composition of the commercial feed or to support claims
3054 made in the labeling;

3055 (iv) the ingredient statement, which shall be in terms as required by the department
3056 through regulations, including, but not limited to, the common or usual name of each ingredient
3057 used in the manufacture of the commercial feed; provided, however, that the department, by
3058 regulation, may permit the use of a collective term for a group of ingredients that perform a
3059 similar function; and provided further, that the department may exempt such commercial feeds,
3060 or any group thereof, from the requirement of an ingredient statement if the department finds that
3061 such statement is not required in the interest of consumers;

3062 (v) the name and principal mailing address of the manufacturer or the person responsible
3063 for distributing the commercial feed;

3064 (vi) the use directions or precautionary statements as the department, by regulation,
3065 determines are necessary for the safe and effective use of the commercial feed, including, but not
3066 limited to, adequate directions for use of all commercial feeds containing drugs;

3067 (vii) the date of manufacture, processing, packaging or repackaging or a code that permits
3068 the determination of a date of manufacture; and

3069 (viii) any other information as the department may require by regulation.

3070 (c) A customer-formula feed shall be accompanied by a label, invoice, delivery slip or
3071 other shipping document, bearing, at a minimum, the following information:

3072 (i) the name and address of the manufacturer;

3073 (ii) the name and address of the purchaser;

3074 (iii) the date of delivery;

3075 (iv) the product name and quantity statement of each commercial feed and each other
3076 ingredient used in the mixture;

3077 (v) the use directions and precautionary statements as the department may require by
3078 regulation that are necessary for the safe and effective use of the customer-feed formula,
3079 including, but not limited to, adequate directions for use of all customer-formula feeds
3080 containing drugs;

3081 (vi) a statement on the label that states: "This feed was manufactured according to
3082 specific instructions provided by (name of the person who provided the instructions) and cannot
3083 be sold to any other person.";

3084 (vii) the date of manufacture, processing, packaging or repackaging or a code that permits
3085 the determination of a date of manufacture; and

3086 (viii) any other information as the department may require by regulation.

3087 Section 54. (a) Except as otherwise provided by regulation, a commercial feed
3088 manufactured or distributed in the commonwealth shall be deemed to be misbranded if:

3089 (i) its labeling is false, deceptive or misleading in any way;

3090 (ii) it is sold or distributed under the name of another commercial feed;

3091 (iii) its labeling does not comply with section 53 or the department's regulations;

3092 (iv) it purports to be or is represented as a commercial feed but is not a commercial feed,
3093 it purports to contain or is represented as containing a commercial feed ingredient but does not
3094 contain a commercial feed ingredient or the feed ingredient does not conform to the definition of
3095 commercial feed and any regulations promulgated by the department; or

3096 (v) it is otherwise determined by the department to be misbranded pursuant to sections 51
3097 to 61, inclusive, or the department's regulations.

3098 Section 55. Except as otherwise provided by regulation, a commercial feed manufactured
3099 or distributed in the commonwealth shall be deemed to be adulterated if:

3100 (i) it bears or contains any poisonous or deleterious substance that may render it injurious
3101 to human or animal health; provided, however, that if the substance is not an added substance,
3102 such commercial feed shall not be considered adulterated under this subsection if the quantity of

3103 such substance in such commercial feed does not ordinarily render it injurious to human or
3104 animal health;

3105 (ii) it bears or contains any added poisonous, deleterious or non-nutritive substance that is
3106 unsafe within the meaning of section 406 of the federal Food, Drug and Cosmetic Act, 21 U.S.C.
3107 346;

3108 (iii) it is, or it bears or contains, any food additive which is unsafe within the meaning of
3109 section 409 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. 348;

3110 (iv) it is a raw agricultural commodity and bears or contains a pesticide chemical that is
3111 unsafe within the meaning of section 408(a) of the federal Food, Drug and Cosmetic Act, 21
3112 U.S.C. 346a(a);

3113 (v) it is, or it bears or contains, any color additive which is unsafe within the meaning of
3114 section 721 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. 379e;

3115 (vi) it is, or it bears or contains, any new animal drug that is unsafe within the meaning of
3116 section 512 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. 360b;

3117 (vii) it consists, in whole or in part, of any filthy, putrid or decomposed substance, or is
3118 otherwise unfit for feed;

3119 (viii) it has been prepared, packed or held under unsanitary conditions whereby it may
3120 have become contaminated with filth, or whereby it may have been rendered harmful to health;

3121 (ix) it is, in whole or in part, the product of a diseased animal or of an animal that has
3122 died other than by slaughter, which is unsafe within the meaning of section 402(a)(1) or (2) of
3123 the federal Food, Drug and Cosmetic Act, 21 U.S.C. 342(a)(1)-(2);

3124 (x) its composition or quality falls below or differs from that which it is purported or is
3125 represented to possess by its labeling;

3126 (xi) it contains a drug and the methods used in, or the facilities or controls used for, its
3127 manufacture, processing or packaging do not conform to good manufacturing practices and
3128 standards established in regulations promulgated by the department to assure that the drug meets
3129 the requirements of sections 51 to 61, inclusive, as to safety and has the identity and strength and
3130 meets the quality and purity characteristics which it purports or is represented to possess;

3131 (xii) it is manufactured or distributed or used as commercial feed in a manner that does
3132 not conform with, or contains any substance that is prohibited by, any regulations as may be
3133 promulgated by the department under sections 51 to 61, inclusive; or

3134 (xiii) it is otherwise determined by the department to be adulterated pursuant to sections
3135 51 to 61, inclusive, or associated regulations.

3136 Section 56. It shall be unlawful to perform or cause to be performed the following acts:

3137 (i) the adulteration or misbranding of any commercial feed;

3138 (ii) the manufacture or distribution of any commercial feed that is adulterated or
3139 misbranded;

3140 (iii) the knowing use of any feed that is adulterated for any cattle, sheep, goats, swine,
3141 poultry or any other animals if such animals are raised to produce human food;

3142 (iv) the removal or disposal of a commercial feed in violation of section 60 or department
3143 regulations;

3144 (v) the failure or refusal to register a commercial feed in accordance with section 52 or
3145 department regulations prior to manufacturing or distributing commercial feed;

3146 (vi) the failure to maintain any records required by sections 51 to 61, inclusive, or
3147 department regulations;

3148 (vii) the impediment, obstruction or hindering by any person of the department in the
3149 discharge of the authority or duties conferred or imposed by any provisions of sections 51 to 61,
3150 inclusive, or department regulations;

3151 (viii) any sale, offer or exposure for sale of any commercial feed or mixture thereof by
3152 any person in violation of any regulation promulgated under sections 51 to 61, inclusive;

3153 (ix) the failure to comply with any other provision of sections 51 to 61, inclusive, or
3154 department regulations and not otherwise specified in this section; or

3155 (x) such other acts as may be determined by the department by regulation to violate
3156 sections 51 to 61, inclusive.

3157 Section 57. (a) The department may promulgate regulations, consistent with the
3158 requirements in chapter 30A, for commercial feeds as authorized in sections 51 to 61, inclusive.

3159 (b) The department may cooperate and enter into agreements with other agencies and
3160 departments, other states and the federal government to effectuate the purpose and provisions of
3161 sections 51 to 61, inclusive.

3162 (c) The department may, as necessary and by regulation, adopt and enforce federal
3163 standards concerning commercial feed.

3164 Section 58. (a) For the purpose of enforcement of sections 51 to 61, inclusive, and in
3165 determining compliance with sections 51 to 61, inclusive, officers or employees duly designated
3166 by the department, upon presenting appropriate credentials, may:

3167 (i) enter, during normal business hours, any building, structure, land, vehicle or other
3168 premises, public or private, within the commonwealth, in or on which commercial feeds are
3169 manufactured, processed, packed, distributed, transported, stored, disposed of, used or held for
3170 distribution, or to enter any vehicle being used to transport or hold such feeds; and

3171 (ii) inspect at reasonable times, within reasonable limits and in a reasonable manner,
3172 including, but not limited to, scheduled visits, random visits or for-cause visits made in response
3173 to a complaint of alleged violation received by the department, such premises, property or
3174 vehicle and all pertinent equipment, finished and unfinished materials, containers and labeling
3175 therein; provided, that the inspection may include, but shall not be limited to, obtaining samples
3176 and the verification of records and production and control procedures related to the manufacture,
3177 distribution, storage, handling, use or disposal of commercial feed as may be necessary to
3178 determine compliance with sections 51 to 61, inclusive.

3179 (b) The department may promulgate regulations to effectuate this section, including, but
3180 not limited to, regulations that define notice requirements prior to inspection, official sampling
3181 and analysis procedures, recordkeeping requirements and any other requirements determined by
3182 the department to be necessary.

3183 (c) If the owner or owner's agent of any building, structure, land, vehicle or other
3184 premises or property described in subsection (a) refuses to admit the department to enter or
3185 inspect in accordance with subsection (a), the department may obtain from the court for the

3186 district or county in which such building, structure, land, vehicle or other premises or property is
3187 located an administrative warrant to enter and inspect such building, structure, land, vehicle or
3188 other premises or property and to obtain samples of such feeds, feed ingredients or raw
3189 agricultural commodities in accordance with section 59, prior to entry, inspection and sampling.
3190 The district and superior courts may issue warrants upon a proper showing of the need for such
3191 entry, inspection and sampling.

3192 Section 59. (a) The department may obtain official samples of all commercial feeds
3193 manufactured or distributed in the commonwealth. Samples may be obtained during inspections
3194 pursuant to section 58 and any regulations as may be promulgated thereunder by the department
3195 and may be analyzed by the department to determine compliance with sections 51 to 61,
3196 inclusive, and the department's regulations.

3197 (b) The department shall forward the results of all analyses of official samples to the
3198 person named on the label and to the purchaser. When the inspection and analysis of an official
3199 sample indicates a commercial feed has been adulterated or misbranded, and upon request within
3200 a time period to be established by the department by regulation following the receipt of the
3201 analysis, the department may furnish to the manufacturer a portion of the sample concerned. The
3202 department, in determining whether a commercial feed is deficient in any component, shall be
3203 guided by the official sample obtained and analyzed pursuant to this section.

3204 Section 60. (a) The department shall enforce sections 51 to 61, inclusive.

3205 (b) The department shall take all reasonable actions to ensure that no commercial feed in
3206 violation of sections 51 to 56, inclusive, sections 58 and 59 and department regulations, enters
3207 commerce in the commonwealth, including, but not limited to, orders for stop sale, quarantine,

3208 detainment, withdrawal from distribution, condemnation, confiscation, destruction or any other
3209 actions as may be determined by the department.

3210 (c) Whoever violates any provision of sections 51 to 61, inclusive, or hinders the carrying
3211 out of any part thereof or, after receipt of a written request from the department, unreasonably
3212 refuses or neglects to comply with any order or regulation lawfully made under this section, may
3213 be subject to a civil administrative penalty issued by the department. The notice of assessment of
3214 civil administrative penalty shall include, but shall not be limited to, the amount of the penalty,
3215 the date the penalty shall be due, a statement of the alleged violator's right to an adjudicatory
3216 hearing pursuant to this section and chapter 30A regarding the assessment, and the manner of
3217 acceptable payment if an election to waive a hearing is made. A person shall be deemed to have
3218 waived all rights to an adjudicatory hearing unless, within 21 days of the date of the
3219 department's notice, the person files a written notice, by hand or by certified mail, return receipt
3220 requested, requesting such adjudicatory hearing. In the event that such request is not received in
3221 accordance with this section, the proposed civil administrative penalty shall become final, and
3222 payment shall be due in accordance with the notice.

3223 (d) Without alleging or proving the lack of other adequate remedies at law, and
3224 notwithstanding the existence of any other remedies at law, the attorney general may apply for a
3225 temporary or permanent injunction to restrain any violation of sections 51 to 61, inclusive, or
3226 department regulations.

3227 (e) The remedies provided in this section shall be available in addition to, and without
3228 limiting, any other penalties provided by law or equity, in this chapter or elsewhere. The district
3229 and superior courts shall have concurrent jurisdiction to enforce sections 51 to 61, inclusive, and

3230 restrain violations thereof. Enforcement actions brought under this section and appeals thereof
3231 shall conform to the applicable provisions of chapter 30A and informal hearing regulations
3232 promulgated thereunder.

3233 Section 61. Annually, the department shall publish, in such forms as the department may
3234 deem proper, information concerning the sales of commercial feeds, together with such data on
3235 their production, composition and use as the department may consider advisable, and a report of
3236 the results of the analyses of official samples of commercial feeds sold within the commonwealth
3237 as compared with the analyses guaranteed in the registration and on the label; provided, that any
3238 information concerning production and use of commercial feed shall not disclose the operations
3239 of any person.

3240 SECTION 50. Said chapter 128 is hereby further amended by adding the following
3241 section:-

3242 Section 125. (a) The supreme judicial court or any justice thereof, and the superior court
3243 or any justice thereof, shall have jurisdiction in equity to enforce this chapter and regulations
3244 promulgated thereunder. Proceedings to enforce this chapter and regulations promulgated
3245 thereunder may be instituted and prosecuted by the attorney general.

3246 (b) The remedies provided under this section shall be available in addition to, and without
3247 limiting, any other penalties provided by law or equity, in this chapter or elsewhere.

3248 (c) The commissioner may issue orders necessary to enforce this chapter and to restrain
3249 violations thereof. Such orders shall be effective pending resolution of any appeal, unless
3250 otherwise ordered by a court of competent jurisdiction.

3251 SECTION 50A. Section 98 of chapter 130 of the General Laws, as appearing in the 2024
3252 Official Edition, is hereby amended by striking out, in lines 5 to 7, inclusive, the words “the
3253 shellfish wardens training course at the Massachusetts Maritime Academy as certified by said
3254 academy,” and inserting in place thereof the following words:- a shellfish wardens training
3255 course as certified by the division.

3256 SECTION 50B. Section 1 of chapter 131 of the General Laws, as appearing in the 2024
3257 Official Edition, is hereby amended by inserting after the definition of “Angling” the following
3258 definition:-

3259 “Archery equipment”, any bow, arrow, bolt or crossbow.

3260 SECTION 51. Chapter 131 of the General Laws is hereby amended by inserting after
3261 section 6 the following section:-

3262 Section 6A. (a) The director shall consider land under the care and control of the division
3263 for potential designation and long-term passive management as a forest reserve and shall
3264 recommend designation of land as a forest reserve; provided, that such designation shall: (i)
3265 contribute to carbon sequestration and storage as part of the commonwealth’s climate mitigation
3266 strategy; (ii) allow for unique older forest habitats to mature and develop over time without
3267 intended intervention in ecological processes as part of a holistic, statewide, biodiversity
3268 conservation strategy; (iii) enhance climate resilience through the maintenance of connected
3269 natural landscape blocks and species movement corridors that provide a variety of important
3270 ecosystem processes, functions and services; (iv) provide unique opportunities for compatible
3271 passive outdoor recreation and other public enjoyment to serve a diverse public with wide-
3272 ranging recreational values; and (v) facilitate ecological research, comparative studies of forest

3273 dynamics and long-term monitoring to evaluate reserves as compared to other land management
3274 approaches.

3275 (b) The director, with the approval of a majority of the members of the fisheries and
3276 wildlife board present at a duly called meeting of the board, may designate land under the care
3277 and control of the division as a forest reserve. Forest reserves shall be managed consistent with
3278 such designation unless the director, with the approval of not less than a two-thirds majority of
3279 the members of the fisheries and wildlife board present at a duly called meeting of the board, and
3280 with the approval of the secretary of energy and environmental affairs, rescinds the designation.

3281 (c) Designation of land as a forest reserve, or the rescission thereof, shall constitute an
3282 administrative designation and shall not: (i) change the entity with respect to the care, custody
3283 and control of the land; (ii) constitute a change in the use of the land; (iii) otherwise dispose of
3284 land or an interest in land; or (iv) otherwise change the existing status of the land as a wildlife
3285 management area or other land management unit.

3286 (d) The department, to the greatest degree possible, shall passively manage forest
3287 reserves to allow natural processes to determine changes in the structure and composition of the
3288 forest ecosystem. Forest reserves shall not be: (i) managed for production of timber or forest
3289 products; or (ii) intentionally manipulated. Any active management shall be avoided, to the
3290 extent feasible, even when disturbances occur. After consultation with a forest reserve science
3291 and technical advisory committee to be administered by the secretary of energy and
3292 environmental affairs, the division may undertake active management or assisted restoration
3293 actions to: (i) sustain ecosystem function, vital ecosystem services and habitat values; (ii) control
3294 problematic pests, pathogens and invasive species; (iii) restore water and wetland resources; (iv)

3295 protect public safety; or (v) address other unforeseen circumstances. The division may undertake
3296 such other management actions as may be required by law.

3297 (e) The following shall be permitted within the forest reserves: (i) compatible passive
3298 outdoor recreation; (ii) regulated hunting and trapping; (iii) conversion or removal of plantations;
3299 (iv) maintenance or repair of existing forest roads, trails and administrative access points; (v)
3300 preservation of historic and cultural resources; (vi) removal of immediate threats to public safety;
3301 (vii) selective understory invasive plant control; and (viii) monitoring and research activities.

3302 SECTION 52. The first paragraph of section 40 of said chapter 131, as appearing in the
3303 2024 Official Edition, is hereby amended by striking out the second to fifth sentences, inclusive,
3304 and inserting in place thereof the following 4 sentences:- Said notice shall be filed by delivery in
3305 hand to the conservation commission or its authorized representative or by certified mail, return
3306 receipt requested, to said commission, or, if none, to the select board or board of selectmen in a
3307 town or the mayor of a city in which the proposed activity is to be located, or by electronic
3308 delivery to the conservation commission, or, if none, to the select board, board of selectmen or
3309 mayor, as specified in regulations promulgated by the department of environmental protection.
3310 Upon such filing, the receipt of such notice shall be acknowledged in writing and shall include
3311 the time and date so received. A person delivering said notice by hand shall be given a receipt in
3312 writing acknowledging the time and date of such filing. Copies of such notice shall be sent
3313 concurrently by electronic delivery to the department of environmental protection.

3314 SECTION 53. Said section 40 of said chapter 131, as so appearing, is hereby further
3315 amended by striking out, in line 74, the figure “1,000” and inserting in place thereof the
3316 following figure:- 100.

3317 SECTION 54. Said section 40 of said chapter 131, as so appearing, is hereby further
3318 amended by striking out the third paragraph and inserting in place thereof the following 2
3319 paragraphs:-

3320 Within 21 days of the receipt by a conservation commission of a written request made by
3321 any person by a method of delivery as specified in regulations, said commission shall make a
3322 written determination as to whether this section is applicable to any land or work thereon. When
3323 such person is other than the owner, notice of any such determination shall also be sent to the
3324 owner. As specified by the department in regulations, certain activities may be approved by
3325 determinations with conditions, and without the filing of a notice of intention if the conditions
3326 ensure that the activities will have negligible or minor wetlands impacts. Temporary impacts
3327 may also be approved with a determination with conditions; provided, that the wetlands shall be
3328 fully restored as specified by the department in regulations. Violation of a condition of a
3329 determination of applicability shall be a violation of this section.

3330 The department may designate by regulation types of proposed work that have
3331 insignificant wetlands impacts and may be approved by the conservation agent or conservation
3332 commission chair or by the department in writing and without a notice of intention or
3333 determination and without a public hearing. Such approval may include, but shall not be limited
3334 to, any conditions necessary to further the interests of this section. A copy of the approval shall
3335 be sent to the department at the same time it is sent to the applicant, and the department shall
3336 have 7 days from receipt to revoke the approval.

3337 SECTION 55. Said section 40 of said chapter 131, as so appearing, is hereby further
3338 amended by striking out the seventeenth to nineteenth paragraphs, inclusive, and inserting in
3339 place thereof the following 3 paragraphs:-

3340 The conservation commission, select board, board of selectmen or mayor receiving notice
3341 under this section shall hold a public hearing on the proposed activity within 21 days of the
3342 receipt of said notice. Notice of the time and place of said hearing shall be given by the hearing
3343 authority at the expense of the applicant, not less than 5 days prior to such hearing, or another
3344 period of time specified in department regulations, by publication in a newspaper of general
3345 circulation in the city or town where the activity is proposed, or by notice on the city or town
3346 website or other means, as specified in regulations promulgated by the department, and by
3347 mailing a notice to the applicant and to the board of health and the planning board of said city or
3348 town. The conservation commission and its agents, officers and employees and the commissioner
3349 of environmental protection and their agents and employees, may enter upon privately owned
3350 land for the purpose of performing their duties under this section. No conditions shall be
3351 imposed, nor shall any determination be rendered by a conservation commission, in reference to
3352 this section, unless the conservation commission meets with a quorum present. The department
3353 may provide by regulation that certain activities that require a notice of intention may not require
3354 a public hearing but shall require public notice.

3355 If, after said hearing or after deliberation of the conservation commission, select board,
3356 board of selectmen or mayor, on the notice of intent where no hearing is required, the
3357 conservation commission, select board, board of selectmen or mayor, as the case may be,
3358 determines that the area on which the proposed work is to be done is significant to: (i) public or
3359 private water supply; (ii) the groundwater supply; (iii) flood control; (iv) storm damage

3360 prevention; (v) prevention of pollution; (vi) protection of land containing shellfish; (vii) the
3361 protection of wildlife habitat; (viii) the protection of fisheries; (ix) resilience for changing
3362 climate conditions; or (x) the protection of the riverfront area consistent with the following
3363 purposes, to: (A) protect the private or public water supply; (B) protect the ground water; (C)
3364 provide flood control; (D) prevent storm damage; (E) prevent pollution; (F) protect land
3365 containing shellfish; (G) protect wildlife habitat; (H) protect the fisheries; or (I) resilience for
3366 changing climate conditions, such conservation commission, select board, board of selectmen or
3367 mayor shall, by written order, within 21 days of such hearing, or within 21 days from publication
3368 of the notice if no hearing is required, impose such conditions as will contribute to the protection
3369 of the interests described herein, and all work shall be done in accordance therewith. If the
3370 conservation commission, select board, board of selectmen or mayor, as the case may be,
3371 determines that the proposed activity does not require the imposition of such conditions, the
3372 applicant shall be notified of such determination within 21 days after said hearing, or within 21
3373 days from publication of the notice if no hearing is required. Such order or notification shall be
3374 signed by the mayor or a majority of the conservation commission or select board or board of
3375 selectmen, as the case may be, and a copy thereof shall be sent forthwith to the applicant and to
3376 the department. The department may designate, by regulation, types of proposed work,
3377 including, but not limited to: (i) certain nature-based solutions projects, as defined in section 62E
3378 of chapter 30, ecological restoration, or wetlands resilience projects; or (ii) priority housing
3379 projects, as defined in section 62E of chapter 30, consistent with commonwealth land use
3380 planning and housing strategies and plans, climate resilient design guidelines and environmental
3381 priorities, that may be approved with a general order of conditions; provided, that the proposed
3382 project does not result in impacts to areas subject to jurisdiction that are greater than those

3383 specified by the department in regulations. For linear shaped projects where work is proposed in
3384 3 or more adjacent municipalities, the applicant shall submit a notice of intent, request for
3385 determination or other request, specified by the department in regulations, directly to the
3386 department for review and decision. Prior to issuing a decision, the department shall provide the
3387 conservation commissions in these municipalities with an opportunity to comment on the notice
3388 or request.

3389 If a conservation commission has failed to hold a hearing within the 21-day period as
3390 required; or if a commission, after holding such a hearing has failed within 21 days therefrom to
3391 issue an order; or if no hearing is required and a commission has failed within the 21 day period
3392 to issue an order; or if a commission, upon a written request by any person to determine whether
3393 this section is applicable to any work, fails within 21 days to make said determination; or where
3394 an order does issue from said commission, the applicant, any person aggrieved by said
3395 commission's order or failure to act, or any owner of land abutting the land upon which the
3396 proposed work is to be done, or any 10 residents of the city or town in which said land is located,
3397 may, by certified mail or electronic filing, as specified in regulations, and within 10 days from
3398 said commission's order or failure to act, request the department of environmental protection to
3399 determine whether the area on which the proposed work is to be done is significant to: (i) public
3400 or private water supply; (ii) the groundwater supply; (iii) flood control; (iv) storm damage
3401 prevention; (v) prevention of pollution; (vi) protection of land containing shellfish; (vii) the
3402 protection of wildlife habitat; (viii) the protection of fisheries; (ix) resilience for changing
3403 climate conditions; or (x) the protection of the riverfront area consistent with the following
3404 purposes, to: (A) protect the private or public water supply; (B) protect the ground water; (C)
3405 provide flood control; (D) prevent storm damage; (E) prevent pollution; (F) protect land

3406 containing shellfish; (G) protect wildlife habitat; (H) protect the fisheries; or (I) resilience for
3407 changing climate conditions. The commissioner of environmental protection or a designee may
3408 request such a determination within said 10 days. The party making any such request shall at the
3409 same time send a copy thereof by certified mail to the conservation commission, select board,
3410 board of selectmen or mayor that conducted the hearing hereunder. If the party making the
3411 request is not the applicant, a copy of such request shall also be sent, at the same time and by
3412 certified mail, to the applicant. Upon receipt of such request the department shall make the
3413 determination requested and shall, by written order, issued within 70 days of receipt of such
3414 request, and signed by the commissioner or their designee, impose such conditions as will
3415 contribute to the protection of the interests described herein; provided, however, that said
3416 department shall notify the applicant within 30 days of the receipt of such request if the
3417 application or request is not in proper form or is lacking information or documentation necessary
3418 to make the determination. Such order shall supersede the prior order of the conservation
3419 commission, select board, board of selectmen or mayor, and all work shall be done in accordance
3420 therewith, but in no event shall any work commence until 10 days have elapsed following the
3421 issuance of said order. In the case of riverfront areas, no order issued by a conservation
3422 commission, select board, board of selectmen, mayor or the department shall permit any work
3423 unless the applicant, in addition to meeting the otherwise applicable requirements of this section,
3424 has proved by a preponderance of the evidence that: (i) such work, including proposed mitigation
3425 measures, has no significant adverse impact on the riverfront area for the following purposes, to:
3426 (A) protect the private or public water supply; (B) protect the ground water; (C) provide flood
3427 control; (D) prevent storm damage; (E) prevent pollution; (F) protect land containing shellfish;
3428 (G) protect wildlife habitat; (H) protect the fisheries; and (I) resilience for changing climate

3429 conditions; and (ii) there is no practicable and substantially equivalent economic alternative to
3430 the proposed project with less adverse effects on such purposes. An alternative is practicable and
3431 substantially economically equivalent if it is available and capable of being done after
3432 considering: (i) costs, and whether such costs are reasonable or prohibitive to the owner; (ii)
3433 existing technology; (iii) the proposed use; and (iv) logistics in light of the overall project
3434 purposes. For activities associated with access for 1 dwelling unit, the area under consideration
3435 for practicable alternatives shall be limited to the lot; provided, that said lot shall be on file with
3436 the registry of deeds as of August 1, 1996. For other activities including, but not limited to, the
3437 creation of a real estate subdivision, the area under consideration shall be the subdivided lots,
3438 any parcel out of which the lots were created and any other parcels that are adjacent to such
3439 parcel or adjacent through other parcels formerly or presently owned by the same owner at any
3440 time on or after August 1, 1996 or any land which can reasonably be obtained; provided, that an
3441 ownership interest can reasonably be obtained after taking into consideration: (i) cost, and
3442 whether such cost is reasonable or prohibitive to the owner; (ii) existing technology; (iii) the
3443 proposed use; and (iv) logistics in light of the overall project purposes. At any time prior to a
3444 final order of determination by the department, any party requesting a determination may, in
3445 writing, withdraw the request, and such withdrawal shall be effective upon receipt by the
3446 department. Notwithstanding the withdrawal, the commissioner or their designee may continue
3447 the determination if they notify all parties within 10 days of receipt of the withdrawal. A copy of
3448 such order shall be sent to the applicant, to the conservation commission, select board, board of
3449 selectmen or mayor which conducted the hearing hereunder. As used in this section, the term
3450 “wildlife habitat” shall mean those areas subject to this section which, due to their plant
3451 community composition and structure, hydrologic regime or other characteristics, provide

3452 important food, shelter, migratory or overwintering areas, or breeding areas for wildlife. The
3453 department may provide, by regulation, that specified provisions of this paragraph shall not
3454 apply to notices of intent or requests for determination for certain types of proposed work,
3455 including, but not limited to, certain nature-based solutions projects, as defined in section 62E of
3456 chapter 30, ecological restoration, or wetlands resilience projects, or for work in the buffer zone
3457 as defined by the department by regulation, or for priority housing projects, as defined in section
3458 62E of chapter 30, consistent with commonwealth land use planning and housing strategies and
3459 plans, climate resilient design guidelines and environmental priorities. The department may also
3460 provide by regulation that such notices of intent or requests for determination may not be the
3461 subject of a request for a superseding order of conditions or applicability or a request for an
3462 adjudicatory hearing in accordance with the provisions of chapter 30A; and that any person
3463 aggrieved by the issuance or failure to issue a decision on such notice of intent or request for
3464 determination may obtain judicial review by filing an application for review in the superior court
3465 within 21 days after receipt of an order of conditions or a determination from the conservation
3466 commission, or within 21 days of the conservation commission's failure to act. Notwithstanding
3467 the provisions of the previous sentence, the department may, in its regulations regarding such
3468 notices of intent or requests for determination, provide that within 10 days of the conservation
3469 commission's action or failure to act, the department may notify the applicant and the
3470 commission that it will be issuing a superseding order of conditions or determination, which it
3471 shall issue within 70 days of making such notification. Such superseding order or determination
3472 may be the subject of a request for adjudicatory hearing in accordance with the provisions of
3473 chapter 30A.

3474 SECTION 55A. Section 57 of said chapter 131 is hereby repealed.

3475 SECTION 55B. Section 58 of said chapter 131, as so appearing, is hereby amended by
3476 striking out, in lines 1 and 2, the words “release any arrow” and inserting in place thereof the
3477 following words:- hunt by any means.

3478 SECTION 55C. Said section 58 of said chapter 131, as so appearing, is hereby further
3479 amended by adding the following 2 sentences:- Notwithstanding the previous sentence, no
3480 person shall: (i) discharge archery equipment upon or across a state highway or hard surfaced
3481 highway, or within 150 feet, of any such highway; or (ii) hunt with archery equipment on the
3482 land of another within 250 feet of a dwelling in use, except as authorized by the owner or
3483 occupant thereof. Nothing in this section shall apply to falconry.

3484 SECTION 55D. Section 60 of said chapter 131, as so appearing, is hereby amended by
3485 striking out, in lines 1 and 5 and 6, the words “bow and arrow” and inserting in place thereof, in
3486 each instance, the following words:- archery equipment.

3487 SECTION 55E. Section 61 of said chapter 131, as so appearing, is hereby amended by
3488 striking out, in line 1, the words “bow and arrow” and inserting in place thereof the following
3489 words:- archery equipment.

3490 SECTION 55F. Section 62 of said chapter 131, as so appearing, is hereby amended by
3491 striking out, in lines 7 and 8, the words “bow and arrow” and inserting in place thereof the
3492 following words:- archery equipment.

3493 SECTION 55G. Section 64 of said chapter 131, as so appearing, is hereby amended by
3494 striking out, in lines 2 and 3, the words “or any crossbow, except as provided in section 69,”.

3495 SECTION 55H. Section 65A of said chapter 131, as so appearing, is hereby amended by
3496 striking out, in line 5, the words “bow and arrow” and inserting in place thereof the words:-
3497 archery equipment.

3498 SECTION 55I. Said chapter 131 is hereby further amended by striking out section 69, as
3499 so appearing, and inserting in place thereof the following section:-

3500 Section 69. A person shall not carry or use archery equipment while hunting except in
3501 compliance with regulations promulgated by the division. The director shall promulgate
3502 regulations to implement this section. Such regulations shall prescribe general design and weight
3503 of pull and type of archery equipment and shall conform to standards generally accepted for
3504 hunting purposes.

3505 SECTION 56. Section 34 of chapter 132 of the General Laws is hereby repealed.

3506 SECTION 57. Section 7 of chapter 132A of the General Laws is hereby repealed.

3507 SECTION 58. Section 7A of said chapter 132A, as appearing in the 2024 Official
3508 Edition, is hereby amended by striking out, in lines 1 and 2, the words “environmental
3509 management, division of forest and parks,” and inserting in place thereof the following words:-
3510 conservation and recreation.

3511 SECTION 59. Said section 7A of said chapter 132A, as so appearing, is hereby further
3512 amended by striking out the second to fifth paragraphs, inclusive.

3513 SECTION 60. Said section 7A of said chapter 132A, as so appearing, is hereby further
3514 amended by adding the following paragraph:-

3515 The chief park ranger and park rangers appointed and employed by the department may
3516 assist the bureau of fire control in both suppression and detection of fires.

3517 SECTION 61. Section 93 of chapter 143 of the General Laws, as so appearing, is hereby
3518 amended by striking out, in line 6, the figure “15” and inserting in place thereof the following
3519 figure:- 17.

3520 SECTION 62. Said section 93 of said chapter 143, as so appearing, is hereby further
3521 amended by striking out, in line 10, the figure “12” and inserting in place thereof the following
3522 figure:- 14.

3523 SECTION 63. Said section 93 of said chapter 143, as so appearing, is hereby further
3524 amended by striking out, in line 21, the words “advanced building technology” and inserting in
3525 place thereof the following words:- climate risk, 1 of whom shall be an expert in climate resilient
3526 design, 1 of whom shall be an expert in the development of housing.

3527 SECTION 64. Section 95 of said chapter 143, as so appearing, is hereby amended by
3528 adding the following subsection:-

3529 (d) Ensuring building regulations and requirements address climate impacts for the
3530 purposes of reducing exposure and damage to structures and protecting the health, safety and
3531 security of the occupants or users of buildings.

3532 SECTION 65. Section 168 of chapter 175 of the General Laws, as so appearing, is hereby
3533 amended by inserting after the word “commonwealth”, in line 146, the following words:- ;
3534 provided, however, that annually, not later than December 1, at the discretion of the secretary of
3535 administration and finance, the comptroller shall transfer to the Resilience Revolving Fund

3536 pursuant to section 2 of chapter 29E an amount up to the difference between the amount of such
3537 fees collected in the prior fiscal year and the amount of such fees collected in fiscal year 2027.

3538 SECTION 65A. Said chapter 175 is hereby further amended by adding the following
3539 section:-

3540 Section 231. A company shall not require the removal of a tree from the property of a
3541 holder of a homeowners insurance policy if a certified arborist has determined the tree is not a
3542 hazard to the property.

3543 SECTION 66. Chapter 183 of the General Laws is hereby amended by adding the
3544 following section:-

3545 Section 70. (a) For the purposes of this section, the term “residential real property” shall,
3546 unless the context clearly requires otherwise, mean real property zoned residential or multifamily
3547 residential with 4 or fewer dwelling units and used or occupied, or intended to be used or
3548 occupied, wholly or partly, as the home or residence of 1 or more persons, condominium units or
3549 cooperative apartments; provided, however, that “residential real property” shall not include
3550 unimproved real property upon which such dwellings are to be constructed.

3551 (b) The secretary of energy and environmental affairs, in consultation with the secretary
3552 of housing and livable communities, shall issue standard notification forms and other materials to
3553 inform each prospective purchaser and tenant about the flood risks of residential real property.
3554 The forms and materials may include, but shall not be limited to: (i) information on whether the
3555 residential real property is located in a floodplain; (ii) documentation of historical flooding and
3556 past damages on the property, including, but not limited to, claims filed and grants or disaster
3557 assistance received for flood damage or flood mitigation; (iii) details about any flood insurance

3558 or elevation certificates for the property (iv) information regarding future coastal flood risk using
3559 the best available data pursuant to state standards; (v) historic and present erosion rates; and (vi)
3560 details about prior retreat, relocation and demolition of structures and associated utilities on the
3561 property and abutting properties due to erosion.

3562 (c) Licensed real estate brokers with an online marketing platform shall include
3563 information on their online marketing platform about the flood risks, if any, associated with each
3564 listed residential real property. The information shall include, but shall not be limited to, whether
3565 the property is located in a floodplain and other information available to disclose to prospective
3566 purchasers and tenants regarding potential flood risks.

3567 (d) A person selling residential real property shall, prior to the signing of a purchase and
3568 sale agreement, provide to the prospective purchaser a completed copy of the applicable
3569 notification form and other materials prepared pursuant to subsection (b). Any person leasing
3570 residential real property with an option to purchase such property shall, prior to the signing of the
3571 lease with an option to purchase, provide to the lessee-prospective purchaser a completed copy
3572 of the applicable notification form and other materials prepared pursuant to subsection (b).

3573 (e)(1) All persons leasing or renting residential real property shall, prior to entering into
3574 an agreement to lease or rent such property, notify prospective tenants about the hazards of flood
3575 risk as provided herein.

3576 (2) A residential lease shall contain the following notice to tenants: "Flood insurance is
3577 generally available to renters through the Federal Emergency Management Agency's (FEMA's)
3578 National Flood Insurance Program (NFIP) to cover your personal property and contents in the

3579 event of a flood. A standard renter’s insurance policy does not typically cover flood damage.
3580 You are encouraged to examine your policy to determine whether you are covered.”.

3581 (3) Prior to entering into a tenancy agreement, the owner of residential real property or
3582 such other person to whom rent is to be regularly paid, shall provide a prospective tenant with:
3583 (i) a completed copy of the applicable notification form and other materials prepared pursuant to
3584 subsection (b); and (ii) 2 copies of a statement certifying that the prospective tenant received all
3585 of the above materials, a copy of which shall be retained by both the tenant and the owner;
3586 provided, that such certification may be included as a provision in a written tenancy agreement.

3587 (f) An owner who fails to comply with this section, including, but not limited to,
3588 providing knowingly false or incomplete disclosures, shall be liable for damages caused by the
3589 failure to comply. A violation of this section by a person engaged in trade or commerce shall be
3590 an unfair and deceptive act or practice pursuant to section 2 of chapter 93A.

3591 SECTION 67. Section 32 of chapter 184 of the General Laws, as appearing in the 2024
3592 Official Edition, is hereby amended by striking out, in lines 23 and 24, 33 and 34 and 80, the
3593 words “metropolitan district commission” and inserting in place thereof the following words:-
3594 department of conservation and recreation.

3595 SECTION 68. Said section 32 of said chapter 184, as so appearing, is hereby further
3596 amended by adding the following paragraph:-

3597 The secretary of energy and environmental affairs, the commissioner of the department of
3598 conservation and recreation, the commissioner of food and agriculture and the secretary of
3599 housing and livable communities may each, when unavailable to approve or certify a restriction,

3600 authorize in writing a designee to approve restrictions on that official's behalf; a restriction
3601 approved and certified by such designee shall have the benefit of this section.

3602 SECTION 69. Section 7 of chapter 330 of the acts of 1983 is hereby repealed.

3603 SECTION 69A. The fifth paragraph of section 44 of chapter 85 of the acts of 1994 is
3604 hereby amended by inserting after the words "Mount Greylock state reservation", the following
3605 words:- A.T. Stearns Counting House.

3606 SECTION 70. The first paragraph of section 177 of chapter 25 of the acts of 2009 is
3607 hereby amended by inserting after the word "Boston", the third time it appears, the following
3608 words:- , Charles River Dam road in the cities of Boston and Cambridge, a segment of route 16
3609 and Revere Beach parkway, including Wellington circle, from its intersection with interstate 93
3610 and route 38 in the city of Medford to its intersection with route 145 and route 1A in the city of
3611 Revere, the Fellsway from Wellington circle to its intersection with interstate 93 in the cities of
3612 Medford and Somerville, Mystic avenue in the city of Somerville, Medford Veteran's Memorial
3613 Highway in the cities of Medford and Somerville and the Lynnway in the city of Lynn.

3614 SECTION 70A. Section 1 of chapter 65 of the acts of 2010 is hereby amended by
3615 inserting after the word "Boston", the third time it appears, the following words:- , which shall
3616 include the Deerfield street dock in the city of Boston.

3617 SECTION 70B. Item 1599-2031 in section 2 of chapter 102 of the acts of 2021 is hereby
3618 by striking out the words "shall be expended for urban" and inserting in place thereof the
3619 following words:- shall be expended to MassDOT or DCR for urban.

3620 SECTION 70C. Item 1100-2516 of section 2 of chapter 140 of the acts of 2022, as
3621 amended by section 170 of chapter 140 of the acts of 2024, is hereby further amended by striking
3622 out the words “construction of a playground at Amvet Boulevard elementary school in the town
3623 of North Attleborough” and inserting in place thereof the following words:- project of dredging
3624 the Ten Mile river.

3625 SECTION 70D. Item 1100-2516 of Section 2 of chapter 140 of the acts of 2022, as
3626 amended by section 170 of chapter 140 of the acts of 2024, is hereby further amended by striking
3627 out the words “for ADA compliant accessibility upgrades to the Mason Field House in the town
3628 of North Attleborough” and inserting in place thereof the following words:- for the project of
3629 dredging the Ten Mile river.

3630 SECTION 70E. Item 6720-2261 of section 2F of chapter 176 of the acts of 2022 is
3631 hereby amended by striking the words “for roadway and intersection improvements near the
3632 intersection of Route 152 and Route 106 in North Attleborough and Plainville” and inserting in
3633 place thereof the following words:- for the project of dredging the Ten Mile river.

3634 SECTION 71. (a) There shall be a special commission on flood risk mitigation and
3635 resilience in the Connecticut river valley. The commission shall consist of the following 21
3636 members: the secretary of energy and environmental affairs or their designee, who shall be chair;
3637 the director of the Massachusetts emergency management agency or their designee; the executive
3638 director of the Franklin regional council of governments or their designee; the executive director
3639 of the Pioneer Valley planning commission or their designee; the chairs of the joint committee
3640 on environment and natural resources; and 15 members appointed by the governor, 6 of whom
3641 shall be representatives of municipalities within the Connecticut river watershed, 2 of whom

3642 shall be representatives of regional water and sewer utilities, 1 of whom shall be a representative
3643 of a watershed organization, 1 of whom shall be a representative of the agriculture sector, 1 of
3644 whom shall be a representative from an environmental justice organization, 1 of whom shall be a
3645 representative from a land trust, 1 of whom shall be a representative from a labor organization
3646 and 2 of whom shall be representatives of regional higher education institutions.

3647 (b) The commission shall prepare a plan that identifies and prioritizes regional resilience
3648 projects that reduce flood risk in the Connecticut river valley through 2050. Said plan shall
3649 include, but shall not be limited to: (i) a summary of applicable municipal vulnerability
3650 preparedness plans; (ii) identification of structural and non-structural regional resilience projects
3651 that would reduce flood risk to critical infrastructure, vulnerable populations, the economy and
3652 natural resources; (iii) an implementation plan, including, but not limited to, project costs,
3653 timelines and responsible entities; (iv) recommendations for local planning and policy actions to
3654 align with regional and state goals; and (v) a strategy for engaging disadvantaged and priority
3655 populations.

3656 (c) The commission shall consult with the department of conservation and recreation, the
3657 department of agricultural resources, the department of environmental protection and the
3658 Massachusetts Department of Transportation.

3659 (d) Not later than January 1, 2028, the commission shall file its plan with the clerks of the
3660 house of representatives and the senate, the house and senate committees on ways and means and
3661 the joint committee on environment and natural resources.

3662 SECTION 72. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the
3663 General Laws, section 35 of chapter 92 of the General Laws or any other general or special law

3664 to the contrary, the commissioner of capital asset management and maintenance may, in
3665 consultation with the commissioner of conservation and recreation, transfer Ravine road between
3666 West Wyoming avenue to the town line of the city of Melrose to the city of Melrose for the
3667 purpose of a public way; provided, that the exact boundaries of the parcel to be conveyed shall
3668 be determined by the commissioner of capital asset management and maintenance.

3669 (b) The consideration for the conveyances authorized by this section shall be nominal.

3670 (c) The city of Melrose of any real property disposed of pursuant to this section shall be
3671 responsible for all costs related to the conveyance, which shall include, but shall not be limited
3672 to, appraisals, surveys, plans, recordings and any other expenses, as deemed necessary by the
3673 commissioner.

3674 SECTION 73. Notwithstanding any general or special law to the contrary, not later than
3675 June 30 in fiscal years 2027 and 2028, the Massachusetts water resources authority shall
3676 annually make a payment of \$50,000 to each of the following towns located within the watershed
3677 of the Quabbin reservoir: Belchertown, Hardwick, Ludlow, New Salem, Orange, Pelham,
3678 Petersham, Phillipston, Shutesbury, Ware and Wendell to support the role of these communities
3679 in hosting the Quabbin reservoir.

3680 SECTION 73A. Notwithstanding any general or special law to the contrary, not later than
3681 June 30 in fiscal years 2027 and 2028, the Massachusetts water resources authority shall
3682 annually make a payment of \$200,000 to each of the towns of Clinton, Boylston, West Boylston
3683 and Sterling to support the role of these communities in hosting the Wachusett reservoir. Such
3684 payments shall be made independent of, and shall not be reduced or offset by, any

3685 recommendation, formula or methodology developed by the commission on Payments in Lieu of
3686 Taxes for state-owned land, or any successor commission or advisory body.

3687 SECTION 74. Notwithstanding section 30 of chapter 29 of the General Laws, section 65
3688 of chapter 30 of the General Laws, or any other general or special law to the contrary, a portion
3689 of the funds authorized in this act may be used for the costs associated with the purchase of title
3690 insurance and services for title examinations, reports and certifications; provided, however, that
3691 any executive department or state agency expending such funds shall maximize efforts and
3692 utilize all available means to minimize use of capital funds for such purpose.

3693 SECTION 74A. (a) The area of Douglas state forest in the town of Douglas that includes
3694 the facilities located at 120 Wallum Lake road shall be designated and known as the Governor
3695 Argeo Paul Cellucci Recreation Area. The Governor Argeo Paul Cellucci Recreation Area shall
3696 include, but shall not be limited to, the boat launch, beach, picnic areas, parking areas, access
3697 roads, trailheads, park space and associated improvements and appurtenant facilities located at or
3698 providing access to 120 Wallum Lake road in the town of Douglas.

3699 (b)(1) The boat launch facility within the Governor Argeo Paul Cellucci Recreation Area
3700 designated pursuant to subsection (a), currently known as the Wallum Lake state boat launch,
3701 shall be designated and known as the Governor Argeo Paul Cellucci Boat Launch.

3702 (2) The access road within the Governor Argeo Paul Cellucci Recreation Area,
3703 designated pursuant to subsection (a), currently known as Wallum Lake Park road, shall be
3704 designated and known as Governor Argeo Paul Cellucci Park road.

3705 (3) The network of hiking and recreational trails within the Governor Argeo Paul
3706 Cellucci Recreation Area designated pursuant to subsection (a) shall be designated and known as
3707 the Governor Argeo Paul Cellucci Trail Network.

3708 (c) The department of conservation and recreation shall erect and maintain suitable
3709 markers bearing the designations made in this section in accordance with the standards of the
3710 department.

3711 SECTION 74B. The department of conservation and recreation shall erect and maintain 2
3712 suitable markers in memory of 2 individuals. The markers shall be similar in form to plaques,
3713 shall be placed within Landry park in the city of Waltham and shall each include the names of
3714 former state representative Richard Landry for whom the park is named and Frederick “Fred”
3715 William Faugno, also known as “The Mayor of the Mill” because of his dedicated advocacy on
3716 behalf of his fellow residents in the adjacent Francil Cabot Lowell Mill apartment community
3717 and who was instrumental in getting the railing installed on the footbridge and the walkway
3718 at Landry park, to be placed as follows:

3719 (i) at the entrance of the Landry park entrance in the city of Waltham, noting “In
3720 Memory of Former State Representative Richard Landry of Waltham, MA, for whom this park is
3721 named”; and

3722 (ii) at the Landry park entrance in the city of Waltham, noting “In Memory of Frederick
3723 “Fred” William Faugno, also known as “The Mayor of the Mill” because of his dedicated
3724 advocacy on behalf of his fellow residents in the Francis Cabot Lowell Mill”.

3725 SECTION 74C. (a) There shall be a special commission on commonwealth port
3726 development to recommend an integrated statewide strategic vision for ports in the

3727 commonwealth, including the designated port areas of: Gloucester Inner Harbor, Salem Harbor,
3728 the city of Lynn, Mystic river, Chelsea creek, the East Boston section of the city of Boston, the
3729 South Boston section of the city of Boston, Weymouth Fore river, New Bedford-Fairhaven, Fall
3730 River and Mount Hope bay. The commission shall identify industry-specific opportunities and
3731 needs, assess existing infrastructure with capacity and resources, evaluate environmental justice
3732 impacts and needs of host communities and develop recommendations to achieve stated priorities
3733 and goals.

3734 (b) The commission shall prepare a report proposing an integrated statewide vision for
3735 the commonwealth's ports and recommendations to implement that vision. The report shall
3736 include an assessment for relevant industry sectors, which shall include but not be limited to: (i)
3737 commercial and recreational fishing; (ii) energy; (iii) shipping, bulk cargo and goods; (iv)
3738 transportation and tourism; (v) ocean technology and emerging markets; (vi) the cruise industry;
3739 and (vii) the seafood processing industry. For each industry sector, the report shall assess: (A)
3740 existing conditions; (B) industry needs; and (C) opportunities for growth, taking into account
3741 infrastructure, costs, limiting geographic constraints and workforce development needs. The
3742 commission shall also consider, for each industry sector, the existing conditions and potential for
3743 development in each designated port area to achieve the vision for growth. The commission shall
3744 identify and assess the cumulative social, economic and public health impacts of permissible
3745 land uses and water uses in designated port areas on host communities, including, but not limited
3746 to, restrictions on affordable housing opportunities and the development of open space. The
3747 commission shall consider the status of host communities as environmental justice communities
3748 and the environmental and economic impacts of adherence to designated port area regulations on
3749 host communities.

3750 (c) The commission shall consist of: the secretary of economic development or their
3751 designee and the secretary of energy and environmental affairs or their designee, who shall serve
3752 as co-chairs; the chief executive officer of the Massachusetts Port Authority or their designee;
3753 and 19 members who shall be appointed by the governor, 11 of whom shall be representatives of
3754 each of the 11 designated port areas, 5 of whom shall be representatives of each water-dependent
3755 industry sector, including offshore wind supply chain operations and maintenance, and 3 of
3756 whom shall be representatives of community groups representing the north shore, Boston harbor
3757 and south coast regions; and 1 representative who shall represent organized labor and be a
3758 member of the international longshoreman's association.

3759 (d) The commission shall consult with: the division of marine fisheries; the office of
3760 coastal zone management; the department of environmental protection; the Massachusetts clean
3761 energy center; the Massachusetts Bay Transportation Authority; the Massachusetts Development
3762 Finance Agency; the seaport economic council; the commercial fisheries commission; any
3763 municipality that is host to a designated port area but does not otherwise have a representative on
3764 the commission; and other entities representing stakeholder perspectives as determined by the
3765 commission.

3766 (e) Not later than January 1, 2028, the commission shall file its report with the clerks of
3767 the house of representatives and the senate, the chairs of the joint committee on economic
3768 development and emerging technologies and the chairs of the house and senate committees on
3769 ways and means.

3770 SECTION 75. Each agency acquiring land or an interest in land under this act may
3771 expend an amount not to exceed 5 per cent of the amount appropriated to that agency for the

3772 purpose of reimbursing nonprofit land conservation organizations or land trusts for reasonable
3773 expenses directly associated with the acquisition of land or interests in land subsequently
3774 conveyed to the commonwealth. Reimbursements shall be made at the discretion of the agency.
3775 The secretary of energy and environmental affairs shall determine, by regulation promulgated
3776 pursuant to chapter 30A of the General Laws, what shall constitute a reasonable expense. If the
3777 commonwealth does not take title to the property through no fault of the nonprofit organization
3778 or the commonwealth, the commonwealth may reimburse the nonprofit organization for
3779 reasonable expenses associated with due diligence. An organization receiving a reimbursement
3780 under this section shall convey the land or interest in land to the agency for an amount not to
3781 exceed the actual purchase price paid by the organization for the land or interest in land in
3782 addition to any reimbursement received under this section.

3783 SECTION 75A. (a) As used in this section, the following words shall, unless the context
3784 clearly requires otherwise, have the following meanings:

3785 “Composting sanitation facility”, a composting toilet system or waterless waste
3786 management system, including any system manufactured by or substantially equivalent in design
3787 and function to those composting toilet systems certified under NSF/ANSI Standard 41, that
3788 processes human waste through aerobic biological decomposition without the use of water or
3789 connection to a municipal sewer system.

3790 “Environmentally appropriate location”, a site at which installation of a composting
3791 sanitation facility is technically feasible and ecologically beneficial, including but not limited to,
3792 locations: (i) adjacent to or within sensitive watersheds, wetlands, or vernal pool buffer zones;
3793 (ii) where septic system installation is constrained by soil percolation rates, depth to

3794 groundwater, or lot size limitations; (iii) in designated Areas of Critical Environmental Concern;
3795 (iv) where water table contamination risk from conventional sanitation is elevated; or (v) where
3796 water conservation goals of the commonwealth would be advanced by waterless waste
3797 management.

3798 (b) The department of conservation and recreation shall prioritize the installation of
3799 composting sanitation facilities at public restrooms and comfort stations located within lands and
3800 facilities under the department's care, custody, and control, where such installation is determined
3801 to be environmentally appropriate pursuant to subsection (c).

3802 (c)(1) Not later than January 1, 2028, the department shall conduct a comprehensive
3803 assessment of all public restroom and comfort station facilities under its jurisdiction and shall
3804 identify locations that qualify as environmentally appropriate for the installation of clivus
3805 sanitation facilities.

3806 (2) The assessment shall consider:

3807 (i) the proximity of the facility to sensitive environmental resources, including surface
3808 waters, wetlands, and public drinking water supplies;

3809 (ii) the existing sanitation infrastructure and its adequacy, age, and environmental
3810 performance;

3811 (iii) the feasibility and cost-effectiveness of clivus sanitation installation relative to
3812 conventional alternatives over a 20-year lifecycle;

3813 (iv) the volume of public use and seasonal visitation patterns;

3814 (v) consistency with any applicable master plan, watershed protection plan, or resource
3815 management plan; and

3816 (vi) input from the department of environmental protection and the division of ecological
3817 restoration.

3818 (d) The department shall, in prioritizing installations under this section:

3819 (i) give first priority to facilities in areas of critical environmental concern, as designated
3820 by the secretary of energy and environmental affairs;

3821 (ii) give second priority to facilities in drinking water supply watersheds and aquifer
3822 recharge areas;

3823 (iii) give third priority to facilities in coastal and inland wetland buffer zones; and

3824 (iv) thereafter prioritize facilities where the existing sanitation infrastructure has reached
3825 the end of its useful life or where conventional replacement would require significant capital
3826 expenditure.

3827 (e) The department shall develop and implement a maintenance and operations protocol
3828 for all composting sanitation facilities under its jurisdiction, which shall include:

3829 (i) a schedule for routine inspection and maintenance;

3830 (ii) training standards for department staff responsible for the operation of such facilities;

3831 (iii) performance metrics to assess the environmental effectiveness and public health
3832 compliance of each facility; and

3833 (iv) procedures for the lawful removal and beneficial use or disposal of composted end-
3834 product material in accordance with regulations promulgated by the department of environmental
3835 protection.

3836 (f) Not later than July 1, 2028, the department shall file a report with the clerks of the
3837 senate and house of representatives, the joint committee on environment, natural resources and
3838 agriculture and the secretary of energy and environmental affairs, detailing:

3839 (i) the number and location of composting sanitation facilities installed during the
3840 preceding fiscal year;

3841 (ii) the number of facilities identified as candidates for future installation;

3842 (iii) maintenance activities performed and any compliance findings;

3843 (iv) estimated water savings attributable to facilities installed pursuant to this section; and

3844 (v) any recommendations for statutory or regulatory changes to advance the purposes of
3845 this section.

3846 SECTION 76. (a) There shall be established a special commission to study and report on
3847 how to enable resilient urban coasts in the commonwealth.

3848 (b) The commission shall examine existing statutory and regulatory requirements that
3849 slow or prohibit the permitting and construction of climate resilient projects on public and
3850 private urban coastal properties in the commonwealth, including, but not limited to,
3851 neighborhoods impacted by flood pathways. The commission shall consider cost and time
3852 constraints associated with securing the required permits to protect coastal communities,
3853 properties and infrastructure from flooding and sea level rise. The commission shall review and

3854 reconcile the need to protect coastal communities, properties and infrastructure from flooding
3855 and sea level rise in the context of: (i) economic viability; (ii) human health; (iii) the protection
3856 of infrastructure, homes, businesses, designated port areas, coastal wetlands and marine
3857 ecosystems; and (iv) the costs and benefits associated with any proposed changes to streamline
3858 permitting, including municipal harbor plans. The commission shall create proposals to expedite
3859 and streamline permitting for coastal resilience projects in districts that span across public and
3860 private properties.

3861 (c) The commission shall consist of the following 15 members: the secretary of economic
3862 development or their designee, who shall serve as co-chair, and the secretary of energy and
3863 environmental affairs or their designee, who shall serve as co-chair; the commissioner of
3864 environmental protection or their designee; the chief executive officer of the Massachusetts Port
3865 Authority or their designee; the director of the Seaport Economic Council or their designee; the
3866 director of the Commercial Real Estate Development Association or their designee; the director
3867 of Boston Harbor Now, Inc. or their designee; the director of the Trustees of Reservations or
3868 their designee; the director of the Massachusetts Marine Trades Association or their designee;
3869 the director of A Better City, Inc. or their designee; and 5 members who shall be appointed by
3870 the governor, 2 of whom shall be coastal developers, 1 of whom shall be a watershed
3871 organization and 2 of whom shall be advocates who represent environmental justice
3872 communities. The commission shall be authorized to invite experts from local, state and federal
3873 agencies, including, but not limited to, the United States Army Corps of Engineers and
3874 representatives of the private sector to advise on specific topics identified by the commission.

3875 (d) Not later than June 9, 2027, the commission shall submit a report of its findings,
3876 together with recommendations for any legislation, to the governor, the clerks of the house of

3877 representatives and the senate, the chairs of the joint committee on economic development and
3878 emerging technologies, the chairs of the joint committee on environment and natural resources
3879 and the chairs of the house and senate committees on ways and means concerning: (i) statewide
3880 permitting reforms to enable climate resilience projects on urban coastal properties, including,
3881 but not limited to, district scale projects that create continuous lines of protection and regional
3882 projects that cross municipal boundaries; and (ii) the adoption and alignment of state and local
3883 permitting processes necessary to enable climate resilience projects on urban coastal properties,
3884 including, but not limited to, statutory and regulatory provisions to promote and allow district
3885 scale projects that create continuous lines of defense and regional projects that cross municipal
3886 boundaries.

3887 SECTION 76A. (a) The executive office of energy and environmental affairs shall
3888 establish and administer a pilot program for research activities and demonstration projects for
3889 nature-based solutions, as defined in section 1 of chapter 21N of the General Laws. The program
3890 shall: (i) define categories of nature-based solutions and develop standards for their use; (ii)
3891 coordinate, streamline and expedite the permitting and review process for activities and projects;
3892 and (iii) prioritize activities and projects that advance scientific knowledge, provide conservation
3893 benefits and minimize impacts to existing wetlands. The secretary of energy and environmental
3894 affairs and the commissioners or directors of permitting agencies may modify specific
3895 performance standards for nature-based solutions.

3896 (b) The pilot program shall operate for 5 years beginning on the effective date of this act.
3897 Not later than 1 year from the effective date of this act, and annually thereafter, the secretary of
3898 energy and environmental affairs shall file a report with the clerks of the house of representatives
3899 and the senate and the joint committee on environment and natural resources that shall: (i) detail

3900 the categories of nature-based solutions; (ii) analyze the approval time for all permits required
3901 for each approved research activity or demonstration project; (iii) specify any specific
3902 performance standards modified for each approved research activity or project; and (iv) provide
3903 data about the effectiveness of each approved research activity or project.

3904 SECTION 76B. (a) There shall be a special commission to study water conservation and
3905 reuse. The commission shall examine how implementing water reuse requirements in the
3906 commonwealth would affect construction costs, consumer savings, water conservation and
3907 public health.

3908 (b) The commission shall consist of: the commissioner of conservation and recreation, or
3909 a designee, who shall serve as co-chair; the commissioner of environmental protection, or a
3910 designee, who shall serve as co-chair; 6 members who shall be appointed by the governor, 2 of
3911 whom shall be municipal or local utility members; 2 members appointed by the commissioner of
3912 public health of whom shall be representatives from the department of public health; 2 members
3913 appointed by Home Builders and Remodelers Association of Massachusetts, Inc.; 2 members
3914 appointed by Associated General Contractors of Massachusetts, Inc.; 2 members appointed by
3915 the Boston chapter of the American Society of Plumbing Engineers; 2 members appointed by
3916 Boston Society of Civil Engineers Section of the American Society of Civil Engineers; 2
3917 members of representatives of labor associated with the Massachusetts plumbing industry; 2
3918 members appointed by Plumbing-Heating-Cooling Contractors of Massachusetts, Inc.; 2
3919 members appointed by Greater Boston Plumbing Contractors Association, Inc.; 1 member of the
3920 board of state examiners of plumbers and gas fitters; 1 member of the International Association
3921 of Plumbing and Mechanical Officials; and the executive director of the Massachusetts Rivers
3922 Alliance, Inc., or a designee.

3923 (c) The commission shall research the potential benefits of expanding water reuse and
3924 conservation efforts in both residential and nonresidential construction applications which shall
3925 include, but shall not be limited to, greywater, rainwater and stormwater collection and reuse
3926 opportunities.

3927 (d) Not later than July 1, 2027, the commission shall file a report, including any plans and
3928 recommendations for consideration, to the clerks of the house of representatives and senate.

3929 SECTION 76C. (a) The executive office of energy and environmental affairs shall, in
3930 consultation with the executive office for administration and finance, issue a report and make
3931 recommendations on financial solutions for climate and clean energy innovations in the public,
3932 private and non-profit sectors throughout the commonwealth and in line with achieving the
3933 commonwealth's greenhouse gas emissions limits and sub-limits pursuant to chapter 21N.

3934 (b) The report shall include, but shall not be limited to: (i) an evaluation of a climate bank
3935 to provide financial products including loan refinancing, loan guarantees, credit enhancements,
3936 debt securitization, insurance, portfolio insurance and other forms of financial support, technical
3937 assistance or risk management to qualified climate and clean energy innovations; (ii) financial
3938 strategies to reduce adverse economic effects from transitioning to clean energy; (iii) job creation
3939 possibilities through the construction and operation of climate and clean energy innovations; (iv)
3940 methods to foster the development and consistent application of transparent underwriting
3941 standards, standard contractual terms and measurement and verification protocols for qualified
3942 climate and clean energy innovations; (v) methods to facilitate climate resilience in
3943 disadvantaged and low-income communities; and (vi) methods to promote climate resilience in
3944 rural and coastal communities.

3945 (c) Not later than January 1, 2027, the executive office of energy and environmental
3946 affairs shall submit a report of its findings and any recommendations for legislation to the clerks
3947 of the house of representatives and the senate, the joint committee on financial services and the
3948 house and senate committees on ways and means.

3949 SECTION 76D. (a) There shall be established a task force to conduct a comprehensive
3950 study on the most effective and efficient means of implementing a cistern program across the
3951 commonwealth. The task force shall study: (i) the costs of a cistern program; (ii) alternatives for
3952 developing water storage cisterns for areas of the commonwealth with insufficient water supplies
3953 for fire suppression; and (iii) prioritization of cistern locations at the urban-wildland interface
3954 and in rural communities where water resources for use by the fire service to combat fires are
3955 limited.

3956 (b) The task force shall consist of the following 9 members: the state fire marshal or a
3957 designee, who shall serve as chair; the director of the Massachusetts emergency management
3958 agency or a designee; the commissioner of the department of environmental protection or a
3959 designee; 1 member of the board of Building standards and regulations; the chief fire warden of
3960 the department of conservation and recreation; a representative from the Fire Chiefs Association
3961 of Massachusetts; 1 rural firefighter from a community lacking adequate water supply to be
3962 appointed by the Massachusetts Call/Volunteer Firefighters Association; and 2 non-voting
3963 advisory members, 1 of whom shall be appointed by the speaker of the house of representatives
3964 and 1 of whom shall be appointed by the president of the senate.

3965 (c) The study shall include, but shall not be limited to: (i) input and recommendations
3966 from the appropriate municipal representatives from communities with documented water access

3967 challenges for fire suppression; (ii) an evaluation of the optimal placement of cisterns based on
3968 fire risk and water access; (iii) ensuring that any cistern deployment strategy shall be based on
3969 data-driven decision-making and informed by industry best practices and codes and standards set
3970 for in NFPA 1141 and NFPA 1142; (iv) opportunities for cistern alternatives, including dry
3971 hydrants and related infrastructure; and (v) the cost for the construction, installation and
3972 maintenance of 10 water storage cisterns, dry hydrants and related water infrastructure per year,
3973 at the wildland-urban interface and rural and urban communities throughout the commonwealth.

3974 (d) The task force shall report on its activities and on any findings and recommendations
3975 for a statewide firefighting cistern program, including, but not limited to: (i) identification of
3976 priority areas for installation; (ii) potential costs and funding sources; and (iii) regulatory or
3977 legislative changes necessary to facilitate implementation. Not later than December 31, 2027, the
3978 task force shall submit its report to the secretary of the executive office of public safety and
3979 security; joint committee on public safety and homeland security; and the clerks of the house of
3980 representatives and the senate.

3981 SECTION 76E. The Massachusetts Department of Transportation shall review and issue
3982 a report on existing roadway lighting and lighting operational costs. The report shall include a
3983 review of standards and other criteria for roadway lighting and an analysis of lighting operational
3984 costs; a review of roadway lighting's impact on human health, human safety, and environmental
3985 impact; actions taken by the department to comply with current standards; procedures and
3986 accepted best practices relative to roadway lighting; and recommendations for reducing lighting
3987 operational costs through the replacement of existing high-wattage, unshielded fixtures with
3988 lower-wattage, fully shielded fixtures and the replacement of unnecessary roadway lighting with
3989 the installation of passive safety measures. The Massachusetts Department of Transportation

3990 shall issue its report to the department of energy resources and the clerks of senate and the house
3991 of representatives not later than January 1, 2027.

3992 SECTION 77. Notwithstanding any general or special law to the contrary, the
3993 unexpended and unencumbered balances of the bond-funded authorizations in the following
3994 accounts shall cease to be available for expenditure 180 days after the effective date of this act:
3995 2500-7024, 2850-9951, 2840-8963, 2850-6967, 2820-1420, 2840-7993, 2800-2012, 2800-2013,
3996 2800-2014, 2800-2019, 2820-2011, 2820-2012, 2840-2013, 2840-2014, 2840-2018, 2840-2019,
3997 2840-2023, 2890-2023, 2890-2040, 2800-7013, 2800-7018, 2800-7016, 2800-7011, 2800-7012,
3998 2800-7015, 2800-7017, 2800-7019, 2800-7022, 2800-7097, 2800-7098, 2840-7014, 2840-7017,
3999 2890-7010, 2890-7011, 2810-7872, 2810-8802, 2800-7035, 2800-7031, 2800-7108, 2840-7026,
4000 2840-7027, 6720-1336, 2840-7024, 2890-7035, 2800-7020, 9300-3909, 9300-7909, 9300-7010,
4001 2000-6966, 2000-6967, 2000-6969, 2000-2010, 2000-2011, 2000-2012, 2000-2014, 2000-2015,
4002 2000-2016, 2000-2018, 2000-2019, 2000-2020, 2000-2021, 2000-2022, 2000-2023, 2000-2024,
4003 2000-2025, 2000-2026, 2000-2017, 2000-2035, 2000-2028, 2000-2029, 2000-7013, 2000-7014,
4004 2000-7015, 2000-7016, 2000-7018, 2000-7023, 2000-7024, 2000-7025, 2000-7052, 2000-7054,
4005 2000-7057, 2000-7056, 2000-7051, 2000-7029, 2000-7053, 2000-7070, 2000-7028, 2000-7031,
4006 2000-7055, 2000-7059, 2000-7062, 2000-7063, 2000-7135, 2000-7081, 2240-8820, 2250-8820,
4007 2250-8822, 2200-7991, 2200-2011, 2200-2012, 2200-2013, 2200-2014, 2200-2015, 2200-2016,
4008 2200-2017, 2200-2018, 2200-2019, 2200-7011, 2200-7013, 2200-7017, 2200-7018, 2200-7020,
4009 2200-7025, 2300-2010, 2300-2011, 2300-2012, 2300-2014, 2300-2016, 2300-2017, 2300-7018,
4010 2300-7010, 2300-7011, 2300-7015, 2300-7016, 2300-7020, 2300-7021, 2300-7025

4011 SECTION 78. Notwithstanding any general or special law to the contrary, to meet the
4012 expenditures necessary in carrying out sections 2 to 2D, inclusive, the state treasurer shall, upon

4013 receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to
4014 be specified by the governor from time to time but not exceeding, in the aggregate,
4015 \$2,543,457,500. All bonds issued by the commonwealth, as aforesaid, shall be designated on
4016 their face “An Act to Build Resilience for Massachusetts Communities” and shall be issued for a
4017 maximum term of years, not exceeding 20 years, as the governor may recommend to the general
4018 court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided,
4019 however, that all such bonds shall be payable not later than June 30, 2052. All interest and
4020 payments on account of principal on such obligations shall be payable from the General Fund.
4021 Bonds and interest thereon issued under the authority of this section shall, notwithstanding any
4022 other provision of this act, be general obligations of the commonwealth.

4023 SECTION 79. Notwithstanding any general or special law to the contrary, to meet the
4024 expenditures necessary in carrying out section 2E, the state treasurer shall, upon receipt of a
4025 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
4026 by the governor from time to time but not exceeding, in the aggregate, \$385,000,000. All bonds
4027 issued by the commonwealth, as aforesaid, shall be designated on their face “An Act to Build
4028 Resilience for Massachusetts Communities” and shall be issued for a maximum term of years,
4029 not exceeding 20 years, as the governor may recommend to the general court pursuant to section
4030 3 of Article LXII of the Amendments to the Constitution; provided, however, that all such bonds
4031 shall be payable not later than June 30, 2052. All interest and payments on account of principal
4032 on such obligations shall be payable from the General Fund. Bonds and interest thereon issued
4033 under the authority of this section shall, notwithstanding any other provision of this act, be
4034 general obligations of the commonwealth.

4035 SECTION 80. Notwithstanding any general or special law to the contrary, to meet the
4036 expenditures necessary in carrying out sections 2F to 2G, inclusive, the state treasurer shall, upon
4037 receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to
4038 be specified by the governor from time to time but not exceeding, in the aggregate,
4039 \$150,000,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on their
4040 face “An Act to Build Resilience for Massachusetts Communities” and shall be issued for a
4041 maximum term of years, not exceeding 30 years, as the governor may recommend to the general
4042 court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided,
4043 however, that all such bonds shall be payable not later than June 30, 2062. All interest and
4044 payments on account of principal on such obligations shall be payable from the General Fund.
4045 Bonds and interest thereon issued under the authority of this section shall, notwithstanding any
4046 other provision of this act, be general obligations of the commonwealth.

4047 SECTION 81. Not later than January 1, 2027, the secretary of energy and environmental
4048 affairs, in consultation with the secretary of housing and livable communities and the
4049 commissioner of environmental protection, for the purposes of sections 15, 33 and 55, shall issue
4050 guidelines and identify housing types that are considered priority housing projects.

4051 SECTION 82. Not later than January 1, 2027, the secretary of energy and environmental
4052 affairs, in consultation with the commissioner of environmental protection, shall issue guidelines
4053 necessary pursuant to sections 15, 33 and 55 for nature-based solutions projects.

4054 SECTION 83. Not later than December 1, 2026, the department shall convene the air
4055 quality advisory committee, established in section 11.

4056 SECTION 84. Not later than June 30, 2027, the first report required pursuant to
4057 subsection (d) of section 18B of chapter 21A, inserted by section 11, shall be submitted.

4058 SECTION 85. (a) Not later than January 1, 2027, the secretary of energy and
4059 environmental affairs shall establish standards and guidelines pursuant to section 36.

4060 (b) Not later than January 1, 2027, the department of environmental protection and
4061 executive office of energy and environmental affairs shall propose regulations pursuant to
4062 section 36.

4063 SECTION 85A. Not later than January 1, 2027, the department of public utilities shall,
4064 subject to its ratemaking authority, develop a rate for unmetered roadway or parking-lot lighting
4065 fixtures that utilize less than 25 watts of electricity that is reflective of the actual cost of service
4066 for fixtures of that wattage.

4067 SECTION 85B. Not later than August 1, 2027, the department, in consultation with the
4068 Massachusetts Department of Transportation and the executive office of public safety and
4069 security, shall promulgate regulations governing the use of state or municipal funds.

4070 SECTION 85C. (a) Initial plans for mattress stewardship programs under subsection (c)
4071 of section 32 of chapter 21A of the General Laws, inserted by section 11A, shall be submitted to
4072 the department of environmental protection not later than 1 year after the effective date of this
4073 act.

4074 (b) A stewardship organization shall implement a mattress stewardship program as
4075 described in an initial plan submitted pursuant to subsection (c) of said section 32 of said chapter

4076 21A not later than 1 year after the date that the initial plan is approved by the department of
4077 environmental protection.

4078 SECTION 86. Section 4 shall take effect on July 1, 2028.

4079 SECTION 87. Sections 8, 16 through 22, inclusive, 38 through 40, inclusive, 44, 49, 56
4080 through 60, inclusive, and 66 shall take effect 90 days after the effective date of this act.

4081 SECTION 88. Sections 14 and 65 shall take effect on July 1, 2026.

4082 SECTION 88A. Sections 22A, 22B, 22C and 22D shall take effect for tax years
4083 beginning on or after January 1, 2027.

4084 SECTION 89. Section 37 shall take effect 10 years after the effective date of this act.