

SENATE No. 3064

Senate, April 15, 2026 -- Text of the Senate Bill to build resilience for Massachusetts communities (Senate, No. 3064) (being the text of Senate No. 3050, printed as amended)

The Commonwealth of Massachusetts

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

An Act to build resilience for Massachusetts communities.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the financing of improvements to provide for climate change adaptation, resiliency and the immediate preservation and improvement of environmental and recreational assets of the commonwealth, and to make related changes in certain laws, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

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

8 SECTION 2.

9 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

10 Department of Conservation and Recreation

11 2800-1123 For the acquisition of land and interests in land by the department of
12 conservation and recreation and for associated costs including planning, study, due diligence,
13 title and appraisal services, site restoration and stewardship including, but not limited to, coastal
14 land acquisition and securing access to protected coastal lands and lands to provide for the inland
15 movement of coastal habitats; provided, that funds may be used for capital investments related to
16 the stewardship of the land; and provided further, that funds may be used for the restoration and
17 reclamation of acquired land, including demolition of structures, removal of debris, eradication
18 of non-native species and other services essential to these reclamation efforts.....\$40,000,000

19 2800-7024 For a forestry and tree planting program for projects throughout the
20 commonwealth including, but not limited to, the evaluation and planning of forestry and tree
21 planting projects, tree stock, planting and associated costs; provided, that the secretary of energy
22 and environmental affairs shall grant priority to the planting of trees that are in areas: (i)
23 experiencing heat island effects; (ii) underserved with tree cover; (iii) with disadvantaged
24 populations; (iv) affected by severe weather events or insect infestation; (v) where aquifers,
25 recharge areas, wells, reservoirs and other water bodies are located that will improve and protect
26 water quality as part of a natural ecosystem; and (vi) that will further climate change mitigation,
27 adaptation and resiliency strategies; provided further, that the program shall prioritize the use and
28 growth of native tree species; provided further, that the secretary may provide guidance for
29 coordination between municipal and utility stakeholders on incorporating utility gas leaks data
30 into planning for street tree planting projects and for testing street tree pits for methane before

31 planting; and provided further, that funds from this item may be expended to provide grants,
32 technical assistance or other support to landowners to undertake capital projects including, but
33 not limited to, sustainable forest management and long-term conservation practices, to protect
34 the ecological integrity of the commonwealth’s forestlands under the Forests as Climate
35 Solutions plan.....\$20,000,000

36 2800-7026 For the: (i) design, construction, maintenance, repair, removal and
37 improvements of state-owned or abandoned dams identified by the office of dam safety,
38 including improvements to the aquatic habitat, inland flood control projects and projects for
39 related facilities and equipment; (ii) design, construction, maintenance, repair or improvement of
40 the department’s coastal and marine infrastructure and coastal ecological resources including, but
41 not limited to, shore protection, docks, piers, culverts, beaches, dunes and salt marshes; and (iii)
42 navigational and ecological performance of the commonwealth’s tidal and nontidal waterways;
43 provided, that the department of conservation and recreation shall give priority to dams and flood
44 control projects that pose the greatest risk to public health, public safety or the environment;
45 provided further, that the secretary of energy and environmental affairs may provide guidance for
46 planning, prioritizing, selecting and implementing projects in furtherance of the goals of the state
47 hazard mitigation and climate change adaptation plan; and provided further, that not less than
48 \$120,000,000 shall be expended for long-term coastal flood resilience improvements to the
49 Amelia Earhart dam and its embankments in the cities of Somerville and Everett....\$428,100,000

50 2840-7028 For the study, planning, permitting, design, construction, reconstruction,
51 repair, removal, demolition, improvement, furnishing, equipping or rehabilitating of department
52 of conservation and recreation properties including, but not limited to, reservations, facilities
53 infrastructure, forests, parks, campgrounds, comfort stations, harbor islands, skating rinks, skate

54 parks, swimming and wading pools, spray parks, golf courses, tennis courts, basketball courts,
55 ball fields, playgrounds, exercise and fitness paths, tracks, other recreational facilities, historic
56 sites, beaches and storage buildings, office buildings, visitor centers, fire towers, maintenance
57 facilities and other park buildings structures, equipment, including upgrades to information
58 technology equipment to be considered in consultation with the secretary of technology services
59 and security and for the planning, design, acquisition, construction, reconstruction, repair,
60 removal, improvement or rehabilitation of bike paths, greenways, accessible trails, recreational
61 trails and equipment; provided, that the secretary of energy and environmental affairs may
62 provide guidance for planning, prioritizing, selecting and implementing capital projects in
63 furtherance of the goals of climate change mitigation and adaptation consistent with the state
64 hazard mitigation and climate change adaptation plan and in support of disadvantaged
65 populations; provided further, that funds may be expended to support municipal equipment needs
66 for combating wildland and forest fires; provided further, that the department of conservation
67 and recreation may expend funds for technical assistance and grants to public and nonpublic
68 entities in accordance with rules and regulations adopted by the department to implement this
69 item; provided further, that in expending funds from this item, the commissioner shall prioritize
70 public health, public safety and capital to maintain public assets; and provided further, that not
71 less than \$25,000,000 shall be expended for the establishment of a water treatment system for
72 King's beach in the city of Lynn; provided further, that not less than \$1,000,000 shall be
73 expended for the renovation, installation and ongoing maintenance of composting toilet facilities
74 on properties owned and managed by the department of conservation and recreation; provided
75 further, that not less than \$2,000,000 shall be expended for work at Squantum point park in the
76 city of Quincy for costs for work including, but not limited to, planning, design and engineering

77 and the construction of ferry service; provided further, that not less than \$1,000,000 shall be
78 expended for maintenance and investment in the Old Harbor Reservation in the city of Boston,
79 including, but not limited to, Dahill Rest infrastructure, Kelly’s Landing, Castle Island, the
80 World War II Memorial, the Admiral David Farragut statue, a satellite horse barn on Castle
81 Island for the state police mounted unit, Columbia road and Moakley park; provided further, that
82 not less than \$1,000,000 shall be expended for maintenance of the Southwest Corridor park in the
83 city of Boston including, but not limited to, street resurfacing of Claremont street between
84 Wellington street and Greenwich park, street resurfacing of Carleton street between Braddock
85 park and Yarmouth street, improved signage and greenspace investments in Mary Longley
86 garden at Northampton Green; provided further, that not less than \$2,000,000 shall be expended
87 for the construction of an ADA-accessible boardwalk in the Blue Hills Reservation in
88 partnership with Friends of the Blue Hills Charitable Trust; provided further, that not less than
89 \$500,000 shall be expended for repairs and improvements to the Brook Farm print shop in the
90 West Roxbury section of the city of Boston; provided further, that not less than \$2,000,000 shall
91 be expended for the implementation of an integrated approach for public access, trails and
92 recreation opportunities to enhance visitor experiences at Havey beach located on the Charles
93 river in the West Roxbury section of the city of Boston; provided further, that not less than
94 \$1,000,000 shall be expended for maintenance and improvements at the Stony Brook reservation
95 in the city of Boston; provided further, that not less than \$1,000,000 shall be expended to the
96 Horseneck Beach State Reservation for capital upgrades, including, but not limited to,
97 purchasing heavy duty equipment, beach nourishment and stone and cobble removal in the town
98 of Westport.....\$623,875,000

99 2890-7036 For the study, planning, permitting, design, engineering, construction,
100 reconstruction, repair, improvement or rehabilitation of department of conservation and
101 recreation roadway, bridge and path of travel related infrastructure including, but not limited to,
102 parkways, boulevards, multi-use trails, roads within state parks, transportation infrastructure,
103 recreational trails, pedestrian bridges and related appurtenances and equipment; provided, that
104 funds may be expended for pedestrian and bicycle safety, traffic calming, landscape
105 improvements, street lighting, safety equipment and accessibility; provided further, that all work
106 funded by this item shall be carried out according to standards developed by the department
107 pursuant to historic parkways preservation treatment guidelines to protect the scenic and historic
108 integrity of the bridges and parkways under its control; and provided further, that the secretary of
109 energy and environmental affairs may provide guidance for planning, prioritization, selection
110 and implementation of projects in furtherance of the state hazard mitigation and climate change
111 adaptation plan and in support of disadvantaged populations.....\$176,670,000

112 SECTION 2A.

113 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

114 Department of Environmental Protection

115 2200-7026 For the assessment, containment, monitoring, cleanup, control, public
116 participation, removal of or response actions concerning oil or hazardous materials or for any
117 other action necessary to implement chapter 21E of the General Laws and the Massachusetts
118 Contingency Plan established pursuant to said chapter 21E.....\$42,000,000

119 2200-7027 For capital investments in air, water and land resource protection, climate
120 adaptation and decarbonization and ensuring access to clean water and air including, but not

121 limited to, energy, climate and environmental projects and programs that optimize and preserve
122 environmental quality and public health and that provide for appropriate protection, restoration,
123 management and best use of air, water and land resources, assets and infrastructure including,
124 but not limited to, upgrades to laboratory equipment, projects related to nonpoint and point
125 sources of water pollution and the wetlands circuit rider program; provided, that funds may be
126 used to provide grants to public and nonpublic entities including, but not limited to, cities, towns,
127 counties and districts, or any authority, commission, board or instrumentality thereof, and tribal
128 governments for the protection and restoration of the commonwealth's environmental resources
129 to invest in efficient and effective mitigation projects and initiatives to restore and preserve the
130 commonwealth's air, climate, energy, water and land resources, assets and infrastructure; and
131 provided further, that the secretary of energy and environmental affairs may provide guidance for
132 planning, prioritization, selection and implementation of projects in furtherance of the goals of
133 climate change mitigation, resiliency and adaptation; provided further, that not less than
134 \$5,000,000 shall be expended for a pilot program to be administered by the department, in
135 consultation with the department of public health, to identify and monitor indoor air pollution
136 and indoor mold contamination in areas which shall include, but not be limited to, schools,
137 municipal buildings, correctional facilities, state-owned or managed health care facilities,
138 childcare centers and public housing\$32,800,000

139 2200-7028 For the assessment, containment, monitoring, cleanup and closure of
140 existing or closed solid waste facilities causing or threatening to cause pollution pursuant to
141 section 4 of chapter 21H of the General Laws and for capital expenditures associated with
142 composting, recycling and waste reduction programs consistent with the comprehensive

143 statewide master plan for solid waste disposal established pursuant to section 21 of chapter 16 of
144 the General Laws.....\$28,100,000

145 2200-7029 For investments in clean water and drinking water infrastructure by the
146 department of environmental protection to address per- and polyfluoroalkyl substance
147 contamination of public water supplies, private wells or imminent hazard conditions pursuant to
148 section 3A of chapter 21E of the General Laws including, but not limited to, planning,
149 construction, replacement, repair or modernization of infrastructure that enhances ground and
150 surface water resources, ensures the safety of drinking water or protects public health; provided,
151 that funds in this item may be used for response actions that create a capital asset or result in
152 improvements to capital assets including, but not limited to, installing filters or other treatment
153 systems, excavation, covering and fencing contaminated soil and associated planning and design;
154 provided further, that not less than \$5,000,000 shall be expended for research, technical
155 assistance and grants to advance safer alternatives to per- and polyfluoroalkyl substances in
156 products and manufacturing and projects that prevent the future release of per- and
157 polyfluoroalkyl substances in air, water and soil; provided further, that not less than \$5,000,000
158 shall be expended to the city known as the town of Weymouth for costs associated with joining
159 the Massachusetts Water Resource Authority; provided further, that not less than \$5,00,000 shall
160 be expended for infrastructure improvements in the Arlington Neighborhood in the city of
161 Methuen, including, but not limited to, drainage and sewage, road pavement, engineering costs
162 and business outreach\$125,000,000

163 2200-7030 For a grant program to be administered by the department of
164 environmental protection, in consultation with the executive office of education, to support
165 access to clean drinking water in commonwealth public schools including, but not limited to,

166 regional vocational or county agricultural school districts, independent vocational schools and
167 collaboratives and child care centers as defined in section 1A of chapter 15D of the General
168 Laws; provided, that funds may be used for improvements to the drinking water infrastructure in
169 schools and child care centers to remediate the presence of per- and polyfluoroalkyl substances,
170 lead and other contaminants, including, but not limited to, the removal of existing drinking water
171 outlets from operation and the acquisition, installation and maintenance of filtered water stations
172 and filtered faucets for drinking water outlets; provided further, that filtered water station sand
173 faucets shall be certified to meet National Sanitation Foundation and American National
174 Standards Institute filtration systems standard 42 for particulate removal and 1 standard 53 for
175 lead at all water outlets intended for human consumption at a rate of at least 1 per 100 occupants;
176 and provided further, that the department may prioritize awarding funds to school districts or
177 child care centers in low income or environmental justice
178 communities.....\$15,000,000

179 SECTION 2B.

180 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

181 Department of Fish and Game

182 2300-0422 For the acquisition of land and interests in land by the department of fish
183 and game and for associated costs including, but not limited to, planning, studies, due diligence,
184 title and appraisal services, site restoration and stewardship; provided, that such lands may be
185 purchased after approval by the commissioner of fish and game; provided further, that funds may
186 be expended on the development and implementation of a capital stewardship program on lands
187 under the care and control of the department of fish and game and its divisions; provided further,

188 that funds may be used for restoration, repair and reclamation of acquired land including, but not
189 limited to, demolition of structures, removal of debris, eradication of nonnative species and other
190 capital investments essential to the reclamation efforts; and provided further, that projects may
191 be carried out with other public and nonpublic entities including, but not limited to, federal and
192 state agencies, cities, towns, counties and districts, or any authority, commission, board or
193 instrumentality thereof, nonprofit and conservation organizations, public and private land owners
194 and tribal governments.....\$53,500,000

195 2300-7029 For planning, design, engineering, construction, reconstruction,
196 renovation, repair, demolition, acquisition, enhancements, improvements, removal and
197 replacement of the infrastructure, facilities and equipment under the care and control of the
198 department of fish and game and its divisions including, but not limited to, buildings and other
199 structures, education centers, district headquarters, hatchery facilities, offices, storage buildings,
200 shooting ranges, archery facilities, dams, laboratories, equipment, vehicles, vessels and site
201 clearance; provided, that funds may be used to: (i) incorporate energy efficiency and renewable
202 technologies; (ii) decrease energy use and greenhouse gas emissions; (iii) increase climate
203 resiliency; or (iv) enhance accessibility; and provided further, that funds may be used for
204 implementation of projects in furtherance of the statewide hazard mitigation and climate
205 adaptation plan.....\$15,000,000

206 2300-7030 For the rehabilitation, reconstruction, modernization and decarbonization
207 of the department of fish and game’s division of fisheries and wildlife Charles L. McLaughlin
208 Fish Hatchery in the town of Belchertown including, but not limited to, new construction, repair
209 and rehabilitation of buildings and rounds.....\$20,000,000

210 2300-7031 For ecological restoration capital programs and projects at the department
211 of fish and game’s division of ecological restoration; provided, that funds from this item may be
212 used for river, wetland and watershed restoration and protection including, but not limited to: (i)
213 dam and barrier removal; (ii) streamflow and water quality restoration; (iii) road-stream crossing
214 upgrades; (iv) improving public access, including enhancements to accessibility; (v) restored
215 rivers and wetlands; (vi) and other capital activities that restore biodiversity and support nature-
216 based approaches for adapting to climate change; provided, that the commissioner of fish and
217 game or the commissioner’s designee may enter into cooperative agreements with state and
218 federal agencies, cities, towns, counties and districts, or any authority, commission, board or
219 instrumentality thereof, nongovernmental organizations, regional planning agencies, tribal
220 governments and others; provided further, that funds in this item may be used for the purchase of
221 equipment; provided further, that the commissioner of fish and game may award grants to public
222 and nonpublic entities including, but not limited to, cities, towns, counties and districts, or any
223 authority, commission, board or instrumentality thereof and tribal governments, to carry out this
224 item; provided further, that not less than \$60,000,000 shall be expended for flood mitigation and
225 resiliency projects in the Connecticut River Valley including, but not limited to, initiatives or
226 projects recommended by the special commission established in section 71; and provided further,
227 that not less than \$5,000,000 shall be expended to the Southeastern Regional Planning and
228 Economic Development District for capital improvement projects including, but not limited to,
229 the removal of sediment, the repair of dams and culverts and the implementation of water flow
230 management improvements, to mitigate flooding issues and promote ecological sustainability in
231 the Assawompset pond complex and the contributing and interconnected watersheds within the
232 towns of Freetown, Lakeville, Middleborough and Rochester and the cities of New Bedford and

233 Taunton; provided further, that not less than \$500,000 shall be expended to the division of
234 ecological restoration for purposes including, but not limited to, design and construction of salt
235 marsh restoration and enhancement projects that support coastal flood risk reduction, climate
236 resilience or wildlife habitat improvement in the Neponset river estuary\$105,500,000

237 2300-7032 For the planning, engineering, design, construction, acquisition,
238 development and reconstruction of existing and new coastal and inland access sites identified by
239 the department of fish and game’s office of fishing and boating access including, but not limited
240 to, boat launching facilities, fishermen boat access facilities, car-top boat launching facilities,
241 canoe and kayak access facilities, sport fishing piers and shore fishing areas including, but not
242 limited to, ramps, docks, floats and appurtenant facilities throughout the commonwealth;
243 provided, that funds may be used on enhancements to accessibility, construction of signage and
244 informational kiosks and the implementation of coastal projects developed jointly with the
245 Marine Recreational Fisheries Development Fund established in section 35NN of chapter 10 of
246 the General Laws.....\$10,000,000

247 2300-7033 For marine fisheries resource conservation and restoration and capital
248 support of local commercial and recreational fisheries which may include, but shall not be
249 limited to, fish and habitat restoration, marine habitat creation, hard bottom habitat enhancement,
250 vessels, vehicles and equipment; provided, that projects may be carried out in cooperation with
251 public and nonpublic entities, tribal governments and other management agencies; and provided
252 further, that the department may award grants to public and nonpublic entities and tribal
253 governments to carry out this item.....\$10,000,000

254 2300-7034 For the planning and implementation of capital projects and programs at
255 the department of fish and game and its divisions in furtherance of Executive Order no. 618
256 entitled “Biodiversity Conservation in Massachusetts” which shall include, but not be limited to,
257 a local biodiversity capital grant program to support community-led biodiversity efforts;
258 provided, that the projects and programs may be carried out in cooperation with public and
259 nonpublic entities, tribal governments and other management agencies including, but not limited
260 to, other state agencies, cities, towns, counties and districts, or any authority, commission, board
261 or instrumentality thereof, regional planning agencies and nonprofit organizations; and provided
262 further, that the department and its divisions may award grants to public and nonpublic entities,
263 tribal governments and other management agencies including, but not limited to, cities, towns,
264 counties and districts, or any authority, commission, board or instrumentality thereof, regional
265 planning agencies and nonprofit organizations, to carry out this item.....\$20,000,000

266 SECTION 2C.

267 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

268 Office of the Secretary

269 2000-7067 For improvements and replacements to the infrastructure and holdings of
270 the executive office of energy and environmental affairs and its departments and divisions and
271 for capital assets and improvements to infrastructure and holdings that support the mission of the
272 executive office of energy and environmental affairs; provided, that this may include, but shall
273 not be limited to, buildings, equipment and vehicles; provided further, that investments may
274 support the development and implementation of capital projects that support the Massachusetts
275 Hazard Mitigation and Climate Adaptation Plan; provided further, that the secretary of energy

276 and environmental affairs may grant priority to critical actions and strategies identified in the
277 plan; provided further, that the secretary of energy and environmental affairs may provide
278 guidance for the planning, prioritization, selection and implementation of projects in furtherance
279 of the goals of climate change mitigation and adaptation and consistent with the Massachusetts
280 Hazard Mitigation and Climate Adaptation Plan; provided further, that funds may support
281 development of outdoor recreation sites and facilities and infrastructure; provided further, that
282 funds may be awarded to public and nonpublic entities including, but not limited to, tribal
283 governments, cities, towns, counties and districts, or any authority, commission, board or
284 instrumentality thereof, regional planning agencies and nonprofit organizations, or expended
285 directly by the executive office of energy and environmental affairs and its departments and
286 divisions; provided further, that grant funds may be used for planning, engineering, design,
287 acquisition, permitting, construction, repair and renovation; and provided further, that grants
288 shall be awarded in a manner that promotes accessibility, supports geographic equity and
289 supports disadvantaged populations.....\$73,000,000

290 2000-7068 For a tree planting greening program for projects on publicly-owned land
291 or on private lands with the consent of the owner and subject to appropriate covenants that shall
292 assure the continued presence and effectiveness of the commonwealth’s investment including,
293 but not limited to, the evaluation and planning of tree greening projects, tree stock and planting
294 and capital maintenance of urban trees; provided, that the program shall prioritize the use of
295 native tree species; provided further, that the secretary shall give priority to the planting of trees
296 in cities and towns with a completed tree management plan; provided further, that funds may be
297 expended to assist cities and towns in the development of a tree management plan; and provided

298 further, that funds may be used to provide grants, technical assistance or other support to public
299 and nonpublic entities and tribal governments to fulfill the purposes of this item.....\$10,000,000

300 2000-7076 For capital grants or other financial assistance to be administered by the
301 executive office of energy and environmental affairs, in consultation with the department of
302 agricultural resources and division of marine fisheries, to promote and support the growth and
303 economic competitiveness of the commonwealth's agricultural, commercial fishing and
304 cranberry-growing sectors; provided, that the executive office shall prioritize applicants for
305 grants or other financial assistance that focus on innovative approaches to enhance
306 environmental benefits, promote climate resiliency and encourage increased economic activity in
307 its respective sector including, but not limited to: (i) capital infrastructure improvements that
308 promote energy efficiency; (ii) the purchase or expanded use of clean and renewable energy
309 technologies; (iii) tools to address barriers to economic growth, including the purchase of energy
310 efficient equipment and technology; (iv) tools and technologies to support practices that promote
311 resilience against the impacts of climate change; (v) tools and technologies to facilitate
312 sustainability and new product development; (vi) acquisition and purchase of innovative
313 commercial fishing gear designed to protect stocks and species of concern; and (vii) capital
314 infrastructure improvements related to developing and strengthening workforce development and
315 training programs; provided further, that grants or other financial assistance shall be distributed
316 on a competitive basis and awarded in a manner that promotes geographic equity; and provided
317 further, that grants or other financial assistance awarded in this item shall be distributed equally
318 among the agriculture, commercial fishing and cranberry-growing sectors; provided further, that
319 not less than \$2,000,000 shall be expended for capital grants or other financial assistance to be
320 administered by the executive office of energy and environmental affairs, in consultation with

321 the department of agricultural resources, to support municipalities and small businesses
322 transitioning from gas-powered nursery and landscape machinery and maintenance equipment to
323 low-noise, low-emissions electric equipment\$22,000,000

324 2000-7078 For the MassTrails program and other capital improvements to the
325 commonwealth’s trails; provided, that funds may be used for the planning, engineering, design,
326 permitting, construction, repair, technical assistance and improvement of trails and the
327 acquisition of property interests for trail purposes; provided further, that not less than
328 \$10,000,000 shall be expended for the design and construction of accessible trails for people
329 with disabilities including, but not limited, to upgrades in accordance with guidelines from the
330 United States Forest Service and the United States Access Board’s accessibility standards for
331 federal outdoor developed areas; provided further, that funds may be granted at the discretion of
332 the secretary of energy and environmental affairs to public and nonpublic entities, including
333 municipalities, regional planning agencies and nonprofit organizations, or expended directly by
334 the executive office of energy and environmental affairs and its departments and divisions;
335 provided further, that trails are to be broadly defined to include water, recreational, multi-use,
336 motorized use by recreational and snow vehicles, trails designed to enhance accessibility and
337 may be paved, improved, natural surface or on-road for limited distances when necessary to
338 make key connections; provided further, that any project funded from this item shall be open to
339 the public; provided further, that wherever practicable, property interests acquired shall be
340 permanently conserved such that the trail thereon is permanently accessible to the public but may
341 be subject to long-term leases where necessary to advance trail projects; and provided further,
342 that a match from the funding recipient, which may include in-kind match, may be required at
343 the discretion of the secretary of energy and environmental affairs.....\$50,000,000

344 2000-7082 For grant programs related to and investments in: (i) land, soil, water and
345 natural resource conservation, open space preservation and other capital expenditures that
346 conserve land and natural resources that provide ecosystem services, including clean air and
347 water, including watershed remediation, water conservation and other capital investments related
348 to water resource protection and flood prevention; (ii) coastal resource protection including, but
349 not limited to, securing access to protected coastal lands and lands to provide for the inland
350 migration of coastal habitats; (iii) recreation, including the acquisition, development,
351 construction, rehabilitation and improvement of parks and all related facilities in neighborhoods
352 underserved with parks, including assessment and remediation of brownfield sites intended for
353 park use; (iv) environmental equity and wildlife and endangered species protection including, but
354 not limited to, the: (a) local acquisition for natural diversity grant program; (b) parkland
355 acquisition and renovation for communities grant program; (c) tribal land acquisition grant
356 program; (d) healthy soils grant program; (e) woodlands partnership grant program; (f)
357 conservation partnership grant programs including, but not limited to, programs to support
358 landscape-scale land conservation projects, the drinking water supply protection grant program,
359 grant programs to assist and provide funding to conservation districts, grants to support projects
360 and initiatives that promote carbon sequestration and climate change resiliency through
361 sustainable forestry and salt marsh restoration; (v) capital grants and technical assistance to
362 facilitate the conservation of land by municipalities, tribal governments, land trusts and other
363 conservation organizations; (vi) MassTrails grants and other capital investments to advance trails
364 of all kinds; and (vii) grants and other expenditures to support local, regional and state land use
365 planning and management capabilities to advance smart growth efforts, which shall be pursuant
366 to rules and regulations adopted by the secretary of energy and environmental affairs to

367 effectuate this item; provided, that funds may be used to provide grants to public and nonpublic
368 entities and tribal governments to carry out this item; provided further, that not less than
369 \$5,500,000 shall be expended for the healthy soils program and the implementation of the
370 Healthy Soils Action Plan; provided further, that the secretary of energy and environmental
371 affairs may provide guidance and expend funds for planning, prioritization, selection and
372 implementation of projects in furtherance of the goals of climate change mitigation and
373 adaptation consistent with the Massachusetts Hazard Mitigation and Climate Adaptation Plan
374 and in support of disadvantaged populations; and provided further, that all projects shall provide
375 appropriate public access as determined by the secretary.....\$125,500,000

376 2000-7083 For the design, construction, acquisition, reconstruction, rehabilitation,
377 retrofitting, repair or removal of coastal infrastructure, wave energy attenuation devices and
378 resilience measures including, but not limited to, seawalls, jetties, revetments, retaining walls,
379 port infrastructure, beach nourishment, living shorelines, nature-based research and
380 demonstration projects, coastal lands and other nature-based solutions, which shall mean
381 strategies that conserve, restore and employ the natural resources of the commonwealth to
382 enhance climate adaptation, build resilience and support mitigation; provided, that costs payable
383 from this item may include, but shall not be limited to, the costs of engineering and other
384 technical assistance and planning services essential to these projects rendered by the office of
385 coastal zone management in the executive office of energy and environmental affairs, the office
386 of waterways in the department of conservation and recreation and other commonwealth
387 employees or consultants; provided further, that grants and loans may be made to local
388 government units to carry out this item; provided further, that grants may also be awarded to
389 nonpublic entities for approved projects funded herein; provided further, that funds may be used

390 on lands held by municipal, county, state or federal agencies or other governmental bodies on
391 lands held by nonprofit conservation organizations or on private lands with the consent of the
392 owner and subject to covenants that assure the continued presence and effectiveness of such
393 projects for the expected life of the projects; provided further, that the use of such funds by
394 county and municipal governmental bodies on lands held by nonprofit conservation
395 organizations or on private lands, shall require, in a county, a vote of the county commissioners,
396 in a city having a Plan D or Plan E charter, by a majority vote of all the members of the city
397 council, in a city not having such a charter, by a majority vote of the city council, subject to the
398 charter of that city, and in a town, by a majority vote of the selectboard; provided further, that the
399 secretary of energy and environmental affairs may provide guidance for planning, prioritization,
400 selection and implementation of projects in furtherance of the goals of climate change mitigation
401 and adaptation and consistent with the Massachusetts State Hazard Mitigation and Climate
402 Change Adaptation; provided further, that not less than \$5,000,000 shall be expended as grants
403 to municipalities, institutions of higher education and other public and nonpublic entities to
404 develop, identify, research, advance, secure permits and authorizations and deploy innovative
405 means, methods, technologies and approaches for protecting and strengthening the resilience of
406 the commonwealth's coastal shoreline, including beaches, marshes, dunes and public and private
407 property and infrastructure; provided further, that grants may prioritize projects and proposals
408 that include means, methods, technologies and approaches for protecting coastal resources that
409 advance natural approaches including, but not limited to, thin-layer marsh deposition, living
410 shorelines, vegetation, eradication of invasive plant and shellfish and any other relevant
411 methodology; provided further, that funds may be used to assist municipalities, institutions of
412 higher education and other public and nonpublic entities in securing any local, state or federal

413 permits necessary to implement eligible coastal resilience projects; provided further, that funds
414 from this item shall be in addition to any gifts, grants or appropriations obtained for the coastal
415 resilience projects; provided further, that not less than \$1,250,000 shall be expended to the New
416 England Aquarium for coastal resiliency planning and development; provided further, that not
417 less than \$500,000 shall be expended for the establishment of an ocean acidification monitoring
418 system which shall include, but not be limited to, providing monitoring hardware and technical
419 training in the use of such monitoring hardware\$231,750,000

420 2000-7086 For the design, construction, reconstruction, rehabilitation, retrofitting,
421 repair or removal of municipally-owned dams, publicly-owned dams and other dams for which
422 emergency action or hazard mitigation is required and for inland flood control projects and
423 projects for related facilities and equipment including, but not limited to, seawalls, jetties,
424 revetments, retaining walls, beach nourishment and other nature-based solutions on publicly-
425 owned land or related to state or municipal climate change adaptation and preparedness or for
426 which emergency action or hazard mitigation is required; provided, that the secretary of energy
427 and environmental affairs shall give priority to dams and flood control projects that pose the
428 greatest risk to public health, public safety or the environment; provided further, that funds shall
429 be made available for a program of planning, permitting and construction of fish ways and other
430 aquatic habitat improvements. including the removal or breaching of selected dams and
431 impoundments on commonwealth-owned land and waterways; provided further, that funds may
432 be used for dam safety technical assistance; provided further, that funds may be used to provide
433 grants to public and nonpublic entities to carry out this item; and provided further, that the
434 secretary may provide guidance for planning, prioritization, selection and implementation of

435 projects in furtherance of the goals of climate change mitigation and adaptation and consistent
436 with the Massachusetts State Hazard Mitigation and Climate Change Adaptation.....\$93,500,000

437 2000-7087 For the acquisition of land and interests in land by the executive office of
438 energy and environmental affairs and for associated costs including, but not limited to, planning,
439 study, due diligence, title and appraisal services, site restoration, monitoring and stewardship
440 including, but not limited to, acquisitions for open space, recreation, conservation, wildlife and
441 endangered species protection and forest land protection and for related costs and activities in
442 support of conservation goals; provided, that not more than \$25,000,000 may be used to
443 capitalize the Transfer of Development Rights Revolving Fund established in section 35HHH of
444 chapter 10 of the General Laws; provided further, that funds from this item may be used to
445 develop and implement a capital stewardship program on lands under the care and control of the
446 executive office or its departments and divisions or subject to conservation restrictions or other
447 related interests in land purchased through this item; provided further, that funds may be used for
448 restoration, repair and reclamation of acquired land, including demolition of structures, removal
449 of debris, eradication of nonnative species and other services essential to such reclamation
450 efforts; and provided further, that the secretary of energy and environmental affairs may provide
451 guidance and expend funds for preservation and acquisition of land and interests in land in
452 furtherance of the goals of climate change mitigation and adaptation, consistent with the
453 Massachusetts State Hazard Mitigation and Climate Adaptation Plan and in support of
454 disadvantaged populations.....\$85,000,000

455 2000-7088 For the municipal vulnerability preparedness grant program to support and
456 provide technical assistance for the political subdivisions of the commonwealth including, but
457 not limited to, cities, towns, counties and districts, tribal governments, regional planning

458 agencies, nonprofit organizations, or any authority, commission, board or instrumentality
459 thereof, to complete climate-related vulnerability assessments, develop equitable, action-oriented
460 resiliency plans and complete integrated climate change adaptation plans and local hazard
461 mitigation plans and to implement local and regional adaptation solutions identified through such
462 plans; provided, that such funds may be used on lands held by municipal, state or federal
463 agencies, tribal governments or other governmental bodies, nonprofit organizations or on private
464 lands with the consent of the owner and subject to covenants that shall assure the continued
465 presence and effectiveness of such projects for the expected life of the projects; provided further,
466 that the use of such funds by municipal governmental bodies on lands held by nonprofit
467 organizations or on private lands shall require the vote of a majority of the grantee’s legislative
468 body or board of directors or the equivalent thereof; provided further, that funds may be used to
469 develop wastewater facility adaptation plans; provided further, that such funds may be used for
470 the political subdivisions of the commonwealth including, but not limited to, cities, towns,
471 counties and districts, tribal governments, regional planning agencies, nonprofit organization, or
472 any authority, commission, board or instrumentality thereof, to appoint and retain coordinators to
473 advance sustainability, resiliency and climate adaptation; provided further, that the program may
474 prioritize low income and environmental justice communities; and provided further, that grants
475 from this item shall only be awarded to eligible entities or projects in cities and towns that have
476 been deemed in compliance or interim compliance with the multi-family zoning requirement in
477 section 3A of chapter 40A of the General Laws; provided further, that not less than \$10,000,000
478 shall be expended to the city of Chelsea in coordination with the city of Everett for construction
479 of the Island End River Flood Resilience Project to protect this critical industrial district from
480 catastrophic flooding\$510,000,000

481 2030-1011 For the replacement and purchase of environmental law enforcement
482 vehicles and maritime law enforcement patrol vessels and accompanying equipment; provided,
483 that funds may be expended for equipment purchased in conjunction with the operation of the
484 environmental law enforcement vehicle and vessel fleet including, but not limited to, mobile data
485 terminals, installation of mounts and multi-band radios, search and rescue equipment, boat
486 trailers, engines, lower units, remotely-operated vehicles, portable side scan sonar, navigation
487 systems and communication radios.....\$9,000,000

488 2000-7089 For local environmental, recreational, resiliency and preservation projects,
489 provided, that not less than \$100,000 shall be expended for the town of Groveland for site
490 remediation and monitoring at the property formerly occupied by the former Valley
491 Manufacturing Products Company; provided further, that not less than \$1,250,000 shall be
492 expended to the metropolitan area planning council, in coordination with the North Shore water
493 resilience task force for costs associated with planning, feasibility analyses, environmental
494 review, engineering, design, permitting and construction of water supply and distribution
495 infrastructure improvements in the Ipswich river basin to increase the reliability of public water
496 supplies and the environmental health of the Ipswich river; provided further, that not less than
497 \$5,000,000 shall be provided for the Springfield water and sewer commission to support the
498 remediation and construction of the new West Parish water treatment plant in the city of
499 Westfield; provided further, that not less than \$4,000,000 shall be expended for repairs and
500 improvements to the Lake avenue pumping station in the city of Worcester; provided further,
501 that not less than \$1,000,000 shall be expended to the Upper Blackstone Clean Water District for
502 infrastructure improvements; provided further, that not less than \$5,000,000 shall be expended
503 for improvements to culverts and floodplains in the Aberjona river watershed in the towns of

504 Burlington, Lexington, Reading, Stoneham, Woburn and Winchester; provided further, that not
505 less than \$1,000,000 shall be expended to the village of Gilbertville water district in the town of
506 Hardwick for upgrades to the water system and infrastructure; provided further, that not less than
507 \$1,500,000 shall be expended to the Spencer water department for upgrades to the water system
508 and infrastructure; provided further, that not less than \$2,500,000 shall be expended to the East
509 Brookfield water department for upgrades to the water system and infrastructure; provided
510 further, that not less than \$2,000,000 shall be expended to the Regional Environmental Council,
511 Inc. for the development of their center for urban agriculture and food security; provided further,
512 that not less than \$500,000 shall be expended to the town of Berlin for the Berlin rail trail;
513 provided further, that not less than \$100,000 shall be expended to the town of Bolton for
514 improvements at the Bower Springs conservation area; provided further, that not less than
515 \$500,000 shall be expended to the town of Boylston for improvements at Manor Park; provided
516 further, that not less than \$200,000 shall be expended to the town of Northborough for
517 infrastructure improvements around the Cold Harbor brook; provided further, that not less than
518 \$500,000 shall be expended to the town of West Boylston for improvements at Woodland park;
519 provided further, that not less than \$1,200,000 shall be expended to the city of Worcester for
520 water main improvements; provided further, that not less than \$5,000,000 shall be expended to
521 the city of Fitchburg for dam upgrades; provided further, that not less than \$1,000,000 shall be
522 expended for water and sewer infrastructure improvements in the city of Greenfield; provided
523 further, that not less than \$1,000,000 shall be expended for cleanup, assessment, remediation or
524 redevelopment of the former Lunt Silversmiths site on Federal street in the city of Greenfield;
525 provided further, that not less than \$1,500,000 shall be expended for the design, repair,
526 rehabilitation, reinforcement and fortification of the levee and other infrastructure or nature-

527 based solutions in the town of Hadley to mitigate flood risk from the Connecticut river; provided
528 further, that not less than \$1,000,000 shall be expended for design, engineering or improvements
529 to flood control infrastructure in the city of Northampton; provided further, that not less than
530 \$500,000 shall be expended for the study, design and development of and improvements to trails
531 and shared-use paths in the town of Sunderland and neighboring towns; provided further, that not
532 less than \$1,000,000 shall be expended to the city of Gloucester for wastewater treatment plant
533 improvements to improve effluent discharge quality; provided further, that not less than
534 \$250,000 shall be expended to the town of Ipswich for elevation work and improvements to
535 Jeffrey's Neck road in the town of Ipswich to improve its resilience and sustainability; provided
536 further, that not less than \$2,500,000 shall be expended to the South Essex sewerage district for
537 ongoing capital upgrade projects; provided further, that not less than \$2,500,000 shall be
538 expended to the Salem and Beverly Water Supply Board for ongoing capital upgrade projects;
539 provided further, that not less than \$1,000,000 shall be expended to the city of Lowell for
540 permanent soil remediation, nature-based stormwater solutions and new public amenities to
541 improve environmental quality, public health and community resilience at Lowell Riverview
542 park alongside the Merrimack river in the city; provided further, that not less than \$2,250,000
543 shall be expended to the city of Woburn for the rehabilitation of the North Woburn trunk sewer;
544 provided further, that not less than \$1,000,000 shall be expended to the town of Billerica for
545 roadway sustainability and resiliency improvements; provided further, that not less than
546 \$1,000,000 shall be expended to the town of Arlington for the reconstruction and improvements
547 to the playing field and playground at Poet's corner; provided further, that not less than \$750,000
548 shall be expended to the town of Arlington for improvements to mitigate flooding and bank
549 erosion along upper Mill Brook; provided further, that not less than \$1,000,000 shall be

550 expended to the town of Dracut for environmental cleanup projects in the town; provided further,
551 that not less than \$1,000,000 shall be expended to the town of Dunstable for a water main
552 extension to provide a reliable public water supply to the Groton-Dunstable regional high school
553 and surrounding properties impacted by PFAS contamination; provided further, that not less than
554 \$1,000,000 shall be expended to the town of Pepperell for remediation of ground soil
555 contamination on town property in the town provided further, that not less than \$1,000,000 shall
556 be expended to the town of Tyngsborough for the replacement of the Dunstable road culvert in
557 the town; provided further, that not less than \$1,700,000 shall be expended to the town of
558 Wellesley for the installation of solar panels at John D. Hardy elementary school; provided
559 further, that not less than \$3,300,000 shall be expended to the city of Newton for the Bullough's
560 pond dam project; provided further, that not less than \$600,000 shall be expended for
561 replacement efforts at the Clark's Island Wellfield pump station in the town of Milford; provided
562 further, that not less than \$500,000 shall be expended for well improvements in the town of
563 Wrentham; provided further, that not less than \$400,000 shall be expended to implement the
564 farm pond watershed-based plan recommendations in the town of Sherborn; provided further,
565 that not less than \$500,000 shall be expended for a new water well in the town of Plainville;
566 provided further, that not less than \$500,000 shall be expended for a sewer connection to the
567 department of correction septic system serving MCI-Norfolk in the town of Norfolk; provided,
568 that not less than \$500,000 shall be expended to purchase electric vehicles for the department of
569 public works in the town of Needham; provided further, that not less than \$500,000 shall be
570 expended for the design of the PFAS improvement project for well #2 in the town of Medfield;
571 provided further, that not less than \$500,000 shall be expended for the construction of the
572 SNETT Trail extension in the city known as the town of Franklin; provided further, that not less

573 than \$500,000 shall be expended for the design, permitting and documentation for slope
574 stabilization improvements along the Charles river in the town of Dover; provided further, that
575 not less than \$500,000 shall be expended to replace well #3 in the town of Bellingham; provided
576 further, that not less than \$5,000,000 shall be expended to support projects in the city of Lynn
577 related to the South harbor implementation plan, including, but not limited to, expanding access
578 to the city's waterfront and open spaces; provided further, that not less than \$715,000 shall be
579 expended to the town of Rockland for Cushing Brook culvert replacement including, but not
580 limited to, design, permitting and construction; provided further, that not less than \$712,500 shall
581 be expended to the department of conservation and recreation for improvements to the Ames
582 Nowell state park in the town of Abington including, but not limited to, the development of a
583 master plan or the planning, design and engineering costs associated with the implementation of
584 such plan; provided further, that not less than \$712,500 shall be expended to the town of
585 Holbrook for purposes including, but not limited to, design, engineering, construction, repair and
586 maintenance of sewer and water infrastructure; provided further, that not less than \$250,000 shall
587 be expended to North and South Rivers Watershed Association, Inc. for purposes including, but
588 not limited to, a regional river center promoting access to the North river, water quality sampling
589 analysis and recreational opportunities; provided further, that not less than \$200,000 shall be
590 expended to the South Boston Community Health Center, Inc. for the acquisition of electric
591 vehicle vans and the installation of associated charging infrastructure; provided further, that not
592 less than \$110,000 shall be expended to North and South Rivers Watershed Association, Inc. for
593 purposes, including, but not limited to, community engagement during the Superfund process
594 and permit-level designs for Indian Head river dam removals; provided further, that not less than
595 \$2,500,000 shall be expended to the Boston Water and Sewer Commission for projects in the

596 South Boston and Dorchester sections of the city of Boston and for the reserve channel storm
597 surge barrier in the South Boston section of the city of Boston; provided further, that not less
598 than \$1,000,000 shall be expended to the Boston Children’s Museum for climate resiliency and
599 preservation projects, including, but not limited to, renovations, improvements and construction
600 and the modernization of facilities, infrastructure and equipment to address climate impacts
601 along the Fort Point channel in the city of Boston; provided further, that not less than \$1,000,000
602 shall be expended for nature-based research and demonstration projects on the waterfront and
603 Boston Harbor islands and for the expansion of the real-time monitoring project led by the Stone
604 living lab, associated with the University of Massachusetts at Boston and in consultation with
605 Boston Harbor Now, Inc., on coastal sites statewide; provided further, that not less than
606 \$500,000 shall be expended to the city of Boston for its office of climate resilience to conduct an
607 independent environmental study of the area within a 1-mile radius of the solid waste transfer
608 station located at 66 Norfolk avenue, which shall include, but not be limited to: (i) soil testing for
609 contaminants, including heavy metals, volatile organic compounds, semi-volatile organic
610 compounds, per- and polyfluoroalkyl substances and other contaminants associated with solid
611 waste handling operations; (ii) groundwater and surface water testing, where applicable, to assess
612 potential migration of contaminants and air deposition and particulate sampling to determine
613 whether emissions from the facility are contributing to contamination in surrounding residential
614 areas; and (iii) a review of historical site use, prior environmental violations and cumulative
615 environmental impacts on the surrounding community, including environmental justice
616 populations; provided further, that not less than \$250,000 shall be expended to Piers Park Sailing
617 Center, Inc. for the purpose of purchasing new sonar keelboats to continue to provide free and
618 low-cost access to sailing and marine science education; provided further, that not less than

619 \$1,000,000 shall be expended to the Boston Housing Authority for climate mitigation and
620 adaptation investments, including energy efficiency, insulation, electrical upgrades, heating,
621 ventilation and air conditioning systems modernization, window air-source heat pumps, flood
622 prevention and other energy efficiency updates to public properties in the city of Boston;
623 provided further, that not less than \$250,000 shall be expended to the city of Revere to
624 implement the Shirley avenue tree planting master plan; provided further, that not less than
625 \$1,000,000 shall be expended to the city of Boston to implement and expand the triple decker
626 retrofit pilot program or any successor programs to support energy efficiency, electrification and
627 decarbonization improvements in triple decker residential properties located within
628 environmental justice populations in the city of Boston; provided further, that not less than
629 \$500,000 shall be expended to the city of Revere to install and purchase solar panels at Revere
630 high school; provided further, that not less than \$250,000 shall be expended to the city of Revere
631 for soil remediation at Gibson park boathouse; provided further, that not less than \$1,000,000
632 shall be expended for the city of Pittsfield for repairs, equipment and upgrades to its secondary
633 digester; provided further, that not less than \$250,000 shall be expended to Revere public schools
634 for HVAC upgrades for the redevelopment of the McKinley school; provided further, that not
635 less than \$1,000,000 shall be expended to the office of climate resilience in the city of Boston, in
636 consultation with the Boston public health commission and local community-based
637 organizations, for the implementation of a Blue Hill avenue climate resilience and environmental
638 justice corridor initiative which may include, but shall not be limited to, street tree planting and
639 maintenance, green infrastructure, cool pavement and cool roof pilot programs, the expansion of
640 shaded public spaces, air quality monitoring and pollution mitigation strategies along high-traffic
641 areas; provided further, that not less than \$250,000 shall be expended to Berkshire

642 Environmental Action Team, Inc. in the city of Pittsfield for the next phase of its capital
643 renovations project; provided further, that not less than \$500,000 shall be expended to complete
644 an adaptive recreation multiuse trail at Houghton’s pond recreation area located within the Blue
645 Hills Reservation; provided further, that not less than \$500,000 shall be expended to the
646 Massachusetts office of Housatonic Valley Association, Inc. for capital investments in the share
647 the road project to address vehicle collisions with large animals along the United States highway
648 route 7 corridor in the county of Berkshire; provided further, that not less than \$250,000 shall be
649 expended to the town of Great Barrington, in consultation with Housatonic Water Works
650 Company, for filtration and interconnection projects between the Great Barrington fire district
651 water department and Housatonic Water Works Company; provided further, that not less than
652 \$1,000,000 shall be expended to the office of climate resilience in the city of Boston, in
653 coordination with the Boston transportation department, the Boston public works department and
654 the Boston public health commission, to implement climate resilience and environmental justice
655 improvements along Cummins highway, including, but not limited to: (i) tree planting and long-
656 term canopy maintenance, green infrastructure, permeable pavement and stormwater
657 management systems to mitigate flooding and extreme heat; (ii) installation of shaded pedestrian
658 infrastructure, cooling elements and climate-resilient sidewalk and streetscape design to reduce
659 urban heat island impacts and improve pedestrian safety and comfort; and (iii) air quality
660 monitoring and pollution mitigation strategies, including the installation of real-time air quality
661 sensors along the corridor to assess and address vehicular emissions exposure; provided further,
662 that not less than \$250,000 shall be expended for Roots Rising, Inc. for capital improvements at
663 its farm and education center to support youth empowerment and food equity in the city of
664 Pittsfield; provided further, that not less than \$1,000,000 will be expended to the town of

665 Winthrop for the design, permit and construction of a new concrete seawall at Pico avenue to
666 minimize flooding and protect the residential homes in the area; provided further, that not less
667 than \$1,000,000 shall be expended for the Massachusetts Museum of Contemporary Art in the
668 city of North Adams for the comprehensive redesign and renovation of the 24-acre exterior
669 campus to replace existing post-industrial asphalt with an amenity-rich, environmentally
670 sustainable landscape that incorporates new and green technologies to enhance long-term
671 sustainability and resilience; provided further, that not less than \$1,500,000 shall be expended to
672 support energy efficiency, heating system upgrades, heat resiliency, stormwater management and
673 related updates to the Doris Bunte apartments in the Roxbury section of the city of Boston;
674 provided further, that not less than \$50,000 shall be expended to the town of Belchertown for the
675 development of a river walk on the Swift river; provided further, that not less than \$500,000 shall
676 be expended to the city of North Adams for environmental remediation and brownfield
677 redevelopment at the former Windsor mill and North Adams redevelopment authority sites;
678 provided further, that not less than \$500,000 shall be expended to the town of Williamstown for
679 river bank stabilization projects along the Hoosic river; provided further, that not less than
680 \$250,000 shall be expended to Berkshire Agricultural Ventures, Inc. for capital improvements to
681 a centralized agricultural hub to address regional processing and scale food distribution in the
682 county of Berkshire; provided further, that not less than \$250,000 shall be expended to the tree
683 committee in the city known as the town of Winthrop for planting trees to reduce heat island
684 effects and combat climate change and soil erosion; provided further, that not less than
685 \$3,250,000 shall be expended to the town of South Hadley for wastewater treatment plant and
686 pump station rebuilds and refurbishment; provided further, that not less than \$1,600,000 shall be
687 expended to the town of Palmer for repairs and replacement of the West Ware road culvert and

688 Bacon road culvert; provided further, that not less than \$500,000 shall be expended for the
689 Berkshire Natural Resources Council, Inc. in the town of Lenox for capital investments that
690 support the development of universally accessible trails within the county of Berkshire; provided
691 further, that not less than \$100,000 shall be expended to the Massachusetts Municipal Wholesale
692 Electric Company for a feasibility and design study on the rehabilitation or replacement of its
693 headquarters in the town of Ludlow; provided further, that not less than \$1,000,000 shall be
694 expended in equal amounts to the city of Newburyport and the towns of Salisbury and Newbury
695 to address coastal erosion; provided further, that not less than \$500,000 shall be expended for the
696 town of West Bridgewater to construct and install a herring fish ladder at the War Memorial
697 park; provided further, that not less than \$1,500,000 shall be expended to the town of
698 Bridgewater for water and sewer improvements; provided further, that not less than \$2,000,000
699 shall be expended to the town of Easton for the design and construction of the Easton industrial
700 park sewer project and related water infrastructure; provided further, that not less than
701 \$1,000,000 shall be expended for the long term maintenance of the dam located at Weld pond in
702 the town of Dedham; provided further, that not less than \$500,000 shall be expended to the city
703 of Boston for the repair, maintenance and improvement of historic boathouse located at Jamaica
704 pond; provided further, that not less than \$5,000,000 shall be expended for the Massachusetts
705 Water Resources Authority and the cities of Cambridge and Somerville to design, permit and
706 construct climate-resilient sewer separation, storage and conveyance improvements to reduce
707 untreated combined sewer overflows at Alewife brook in the cities of Cambridge and
708 Somerville; provided further, that not less than \$750,000 shall be expended to the town of
709 Bedford for the maintenance and development of culverts and drainage improvements at Fern's
710 way and Old Billerica road; provided further, that not less than \$600,000 shall be expended to

711 the town of Carlisle for the replacement of roof-top HVAC units with all electric air-source heat
712 pumps at the public school complex and town hall; provided further, that not less than \$75,000
713 shall be expended to the town of Chelmsford for the assessment of flooding in watershed area
714 #5, development of a drainage area model and removal of overgrowth, sediment and debris;
715 provided further, that not less than \$90,000 shall be expended to the town of Chelmsford for the
716 assessment of flooding in watershed area #6, development of a drainage area model and
717 documentation of the condition of the storm drain along Lantern lane; provided further, that not
718 less than \$75,000 shall be expended to the town of Chelmsford for a comprehensive lake
719 management study of Heart pond; provided further, that not less than \$50,000 shall be expended
720 to the town of Chelmsford for planting 50 trees within the town's open space areas; provided
721 further, that not less than \$750,000 shall be expended to the town of Concord for the design and
722 construction of a culvert replacement at Barrett's Mill road along Spencer brook; provided
723 further, that not less than \$510,000 shall be expended to The Walden Woods Project for the
724 purchase of a conservation restriction from the town of Concord for a 35 acre municipal site
725 bordering the Walden pond state reservation; provided further, that not less than \$750,000 shall
726 be expended to the town of Lexington for the development of a solar canopy at the composting
727 facility on Hartwell avenue; provided further, that not less than \$600,000 shall be expended to
728 the city of Waltham for the rehabilitation and partial replacement of the Sibley brook drainage
729 culvert in the Fiske avenue, Cabot street and Boynton street neighborhood; provided further, that
730 not less than \$750,000 shall be expended to the town of Weston for culvert replacements along
731 Cherry brook from Warren avenue to Conant road; provided further, that not less than
732 \$1,800,000 shall be expended to Three Bays Preservation, Inc., d/b/a/ the Barnstable Clean
733 Water Coalition, for a cranberry bog restoration project in the town of Barnstable to restore

734 natural wetlands to mitigate nitrogen pollution; provided further, that not less than \$1,000,000
735 shall be expended to the town of Kingston for costs associated with the construction of a new
736 well for drinking water and fire protection in the high zone of the town; provided further, that not
737 less than \$1,200,000 shall be expended to the town of Eastham for design, permitting and
738 construction of wastewater mitigation infrastructure to improve water quality and reduce nutrient
739 pollution in Salt pond; provided further, that not less than \$1,000,000 shall be expended to the
740 town of Chatham for design, permitting and construction of wastewater mitigation infrastructure
741 and waterflow restoration infrastructure to improve water quality and reduce nutrient pollution in
742 Frost Fish creek; provided further, that not less than \$1,000,000 shall be expended to the
743 University of Massachusetts at Boston for the Nantucket field station to expand capacity for
744 student learning, climate research and partnerships to enhance the field station as a regional hub
745 for coastal resilience and environmental innovation; provided further, that not less than \$350,000
746 shall be expended to the executive office of energy and environmental affairs for the installation
747 of United States Coast Guard-approved life ring cabinets at various public saltwater access
748 locations throughout the waterfront of the South Boston section of the city of Boston including,
749 but not limited to, the Fort Point channel; provided further, that not less than \$150,000 shall be
750 expended for park and accessibility improvements at Reggie Wong memorial park in the
751 Chinatown section of the city of Boston; provided further, that not less than \$150,000 shall be
752 expended to the Boston Chinatown Post 328, the American Legion Inc. for a Chinese American
753 veterans memorial in the Chinatown section of the city of Boston on a portion of the Rose
754 Fitzgerald Kennedy Greenway; provided further, that not less than \$150,000 shall be expended
755 to erect a memorial dedicated to the Vietnamese diaspora in the Dorchester section of the city of
756 Boston; provided further, that not less than \$500,000 shall be expended to the Marine Biological

757 Laboratory in the town of Falmouth for costs associated with the beach and dune restoration at
758 Stoney beach located in Woods Hole in the town of Falmouth; provided further, that not less
759 than \$2,000,000 shall be expended to the city of Chicopee for improvements to the Jones Ferry
760 flood control pumping station; provided further, that not less than \$1,00,000 shall be expended to
761 the town of Pembroke for water main replacement projects to ensure reliable access to clean
762 water for residents; provided, that not less than \$1,000,000 shall be expended to the town of
763 Sandwich for improvements including replacing the undersized culvert under Jones road and
764 restoring 34 associated acres; provided further, that not less than \$1,000,000 shall be expended to
765 the town of Plymouth for the Downtown Resiliency Project for purposes including addressing
766 stormwater runoff and urban heat islands; provided further, that not less than \$1,250,000 shall be
767 expended to the Merrimack Valley Planning Commission for projects, equipment and other costs
768 associated with improving and maintaining the health of the Merrimack river and its watershed
769 including, but not limited to, dam removal or modification, monitoring, acquiring tests and
770 analytical equipment and supplies, modeling, combined sewer overflow reduction project
771 planning, design, construction, nonpoint source pollution identification and elimination and
772 infiltration and inflow reduction and elimination efforts; provided further, that not less than
773 \$2,000,000 shall be expended to the city of Springfield for costs associated with improvements
774 to Riverside road; provided further, that not less than \$1,000,000 shall be expended to the city of
775 Springfield for costs associated with improvements to roadways in Blunt park; provided further,
776 that not less than \$900,000 shall be expended for repairs to the Hamilton Reservoir dam in the
777 town of Holland, a department of conservation and recreation designated high hazard dam used
778 for flood control and watershed management; provided further, that not less than \$4,100,000
779 shall be expended for a water main project in the city known as the town of Southbridge along

780 Airport Access road and Pleasant street; provided further, that not less than \$1,500,000 shall be
781 expended to the city of Attleboro for the continued maintenance and restoration efforts of the
782 Capron park zoo in the city of Attleboro; provided further, that not less than \$1,500,000 shall be
783 expended to the division of capital asset management and maintenance for study, design,
784 accessibility improvements and preservation of natural land, recreation areas and waterfront
785 among 166 acres alongside Reservoir pond in the town of Canton for the use of patients and
786 students at Pappas Rehabilitation Hospital for Children and for safe, accessible recreation and
787 rehabilitation activities in a natural setting; provided further, that not less than \$4,000,000 shall
788 be expended to the city of Brockton for revitalization and restoration infrastructure projects at
789 D.W. Field park, including, but not limited to, reconstruction of the parkway with permeable
790 materials, installation of green drainage solutions to mitigate road runoff and stabilization of
791 eroded embankments; provided further, that not less than \$500,000 shall be expended to the city
792 of Taunton for the treatment and management of non-native aquatic vegetation and for water
793 quality improvement and ecological restoration of lake Sabbatia, including, but not limited to,
794 invasive species mitigation, nutrient management and long-term lake management efforts;
795 provided further, that not less than \$2,500,000 shall be expended to the town of Raynham for the
796 replacement of the Pine street culvert to improve stormwater flow, enhance climate resiliency,
797 restore aquatic connectivity and protect public safety and access for residents; provided further,
798 that not less than \$1,465,000 shall be expended to the town of Marion for improvements to the
799 water pollution control facility to achieve compliance with federally-mandated total phosphorus
800 discharge limits, including, but not limited to, chemical precipitation systems, process upgrades,
801 infrastructure improvements and related construction and engineering costs; provided further,
802 that not less than \$50,000 shall be expended for land conservation projects carried out by land

803 trusts serving the town of Seekonk for the acquisition, preservation and stewardship of open
804 space and natural resources; provided further, that not less than \$110,000 shall be expended to
805 the town of Carver for the installation of a second drinking water well at the town hall complex
806 to provide redundancy and ensure a reliable public water supply; provided further, that not less
807 than \$50,000 shall be expended for land conservation projects carried out by land trusts serving
808 the town of Middleborough for the acquisition, preservation and stewardship of open space and
809 natural resources; provided further, that not less than \$50,000 shall be expended for land
810 conservation projects carried out by land trusts serving the town of Marion for the acquisition,
811 preservation and stewardship of open space and natural resources; provided further, that not less
812 than \$50,000 shall be expended for land conservation projects carried out by land trusts serving
813 the town of Rehoboth for the acquisition, preservation and stewardship of open space and natural
814 resources; provided further, that not less than \$50,000 shall be expended for land conservation
815 projects carried out by land trusts serving the town of Raynham for the acquisition, preservation
816 and stewardship of open space and natural resources; provided further, that not less than \$50,000
817 shall be expended for land conservation projects carried out by land trusts serving the town of
818 Dighton for the acquisition, preservation and stewardship of open space and natural resources;
819 provided further, that not less than \$50,000 shall be expended for land conservation projects
820 carried out by land trusts serving the town of Berkley for the acquisition, preservation and
821 stewardship of open space and natural resources; provided further, that not less than \$75,000
822 shall be expended to the town of Wareham for water quality improvement and ecological
823 restoration of the publicly owned Agawam Mill pond, including, but not limited to, nutrient
824 management and invasive species mitigation, which may be carried out in partnership with local
825 nonprofit organizations; provided further, that not less than \$80,000 shall be expended to the city

826 of Brockton for installation of educational and wayfinding signage, repair of small pedestrian
827 footbridges and removal and mitigation of invasive species at D.W. Field park; provided further,
828 that not less than \$500,000 shall be expended to the town of Fairhaven for site restoration to
829 secure and demolish the former Atlas Tack facility located in the town; provided further, that not
830 less than \$500,000 shall be expended to the town of Acushnet to support its open space and
831 recreation plan, including, but not limited to, community farming, outdoor concerts, walking
832 trails and playground facilities; provided further, that not less than \$300,000 shall be expended
833 for Dartmouth Cultural Center, Inc. to preserve and repair the Old Southworth library in the town
834 of Dartmouth to continue serving as a community hub of art and creativity; provided further, that
835 not less than \$500,000 shall be expended to the town of Mattapoisett to replace a culvert along
836 Water street to improve water quality conditions; provided further, that not less than \$200,000
837 shall be expended for People Acting in Community Endeavors, Inc. to support equitable access
838 to nutritious local food including, but not limited, to locally-sourced New Bedford seafood;
839 provided further, that not less than \$500,000 be expended to Blue Hill Observatory & Science
840 Center, Inc. for development and repairs to outdoor infrastructure; provided further, that not less
841 than \$3,000,000 shall be expended for the restoration of the historic Congdon-Lucas House in
842 the city of New Bedford in partnership with Buzzards Bay Coalition, Inc., Community Boating
843 Center, Inc. and Youth Opportunities Unlimited, Inc. to develop a public recreational hub within
844 Hazelwood park to provide access to local beaches, bike trails, kayaking and community sailing;
845 provided further, that not less than \$250,000 shall be expended to the city of Brockton, the city
846 known as the town of Randolph and the town of Whitman to implement a multi-year program for
847 canopy expansion, including, but not limited to, the development and growth of municipal tree
848 inventories, community-led street tree planting campaigns, the purchase and maintenance of

849 watering bags and equipment of early sapling care, the retrofit of concrete sidewalks to create
850 sustainable tree pits and long-term municipal arborist contracts; provided further, that not less
851 than \$230,000 shall be expended to the towns of East Bridgewater, Halifax and Whitman for the
852 purchase of electric motor vehicles and the purchase and installation of public Level 2 electric
853 vehicle charging stations at key municipal hubs; provided further, that not less than \$150,000
854 shall be expended to the town of Rockport for the planning, design and construction of repairs to
855 Granite pier; provided further, that not less than \$500,000 shall be expended to the towns of East
856 Bridgewater and Whitman for the engineering and removal of structural barriers, replacement of
857 damaged or deficient culverts, native plant installation and bank stabilization along the Town
858 river, Satucket river and Meadow brook; provided further, that not less than \$1,150,000 shall be
859 expended to the city of Holyoke for a new biosolids dewatering system to assist in wastewater
860 operations; provided further, that not less than \$1,000,000 shall be expended to the town of
861 Montgomery for culvert replacement and improvements on Main road; provided further, that not
862 less than \$750,000 shall be expended to the city known as the town of Agawam for culvert
863 replacement and improvements on Adams street; provided further, that not less than \$750,000
864 shall be expended to the city of Easthampton for the design and construction of the Lower Mill
865 Pond bridge to protect water boundaries and reduce traffic congestion; provided further, that not
866 less than \$550,000 shall be expended to the city of Westfield for culvert replacement and
867 improvements on Bates road; provided further, that not less than \$800,000 shall be expended to
868 the city known as the town of West Springfield for the reconstruction of the Prospect avenue
869 bridge to expand access to the New England National Scenic Trail; provided further, that not less
870 than \$1,000,000 shall be expended to the Fall River fire department to support asbestos
871 abatement and environmental remediation at fire stations in the city of Fall River; provided

872 further, that not less than \$4,000,000 shall be expended to the water department in the town of
873 Somerset for upgrades and improvements to the town wastewater treatment plant and water
874 pollution control facilities; provided further, that not less than \$1,000,000 shall be expended for
875 necessary capital upgrades for the town dock in the town of Westport including, but not limited
876 to, the harbormaster facility; provided further, that not less than \$3,000,000 shall be expended to
877 the town of Swansea for dredging efforts and beach nourishment along the Cole river; and
878 provided further, not less than \$5,000,000 shall be expended for environmental remediation in
879 the city of Framingham to support economic development\$179,810,000

880 2000-7090 For capital grants or other financial assistance related to the planning,
881 technical assistance, design, construction, installation or expansion, or a combination thereof, of
882 clean thermal energy systems and related infrastructure on public property; provided, that funds
883 may be used for the retrofitting of one or more buildings to support connections to clean thermal
884 energy systems and related infrastructure with the consent of the owner of any such
885 buildings.....\$15,000,000

886 SECTION 2D.

887 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

888 Massachusetts Department of Agricultural Resources

889 2500-7022 For capital programs designed to address agricultural economic and
890 environmental sustainability and resiliency including, but not limited to, the development and
891 implementation of farm viability plans and other technical and engineering assistance, urban
892 agriculture and hydroponics, and to facilitate improvements to agricultural infrastructure, energy
893 conservation and efficiency and climate change adaptation and resiliency; provided, that funds

894 may be expended for infrastructure and equipment upgrades to prevent or reduce food safety
895 risk, combat invasive and disease-borne insects and for capital programs to support aquaculture,
896 anaerobic digesters and agricultural composters; provided further, that funds may be expended
897 for capital projects that foster the adoption of sustainable farming practices that enhance
898 resilience, reduce greenhouse gas emissions and promote environmental stewardship; provided
899 further, that funds may be expended on programs that support the commonwealth’s farmland
900 protection and access goals; provided further, that funds may be expended to provide grants,
901 technical assistance and other support to farms, public and nonpublic entities and tribal
902 governments to support the agricultural economy and to enable recovery from natural disasters,
903 market disruptions and other financial challenges; and provided further, that funds may be
904 allocated by the commissioner through competitive grants pursuant to rules and regulations
905 promulgated by the commissioner to implement this item.....\$26,000,000

906 2511-0124 For food security grant programs to support equitable access to nutritious,
907 local food and to strengthen food supply and distribution systems; provided, that programs may
908 consider the unique needs of rural and urban areas and gateway municipalities as defined in
909 section 3A of chapter 23A of the General Laws to provide greater access to local food; provided
910 further, that programs may provide grants that support food banks and other parts of the food
911 distribution system by expanding services; provided further, that funds may be used to provide
912 grants to public and nonpublic entities and tribal governments to carry out this item which may
913 include, but shall not be limited to, farms, retailers, fisheries, food system businesses, food
914 distributors, food processors, food banks, farm stands, food hubs, food retailers, elder services
915 and community-supported agriculture farms; and provided further, that not less than \$7,500,000

916 shall be expended for the Massachusetts Food Trust Program established in section 65 of chapter
917 23A of the General Laws.....\$132,500,000

918 2511-0125 For a program to acquire land or interests in land for the purpose of
919 preserving agricultural land, including agricultural preservation restrictions under sections 23 to
920 26, inclusive, of chapter 20 of the General Laws; provided, that funds may be expended for
921 associated acquisition and implementation costs including, but not limited to, grants, planning,
922 due diligence, title examinations, appraisal services, site restoration and capital improvements on
923 nonpublic lands subject to those agricultural preservation restrictions and on state-owned lands
924 leased for agricultural purposes.....\$42,000,000

925 SECTION 2E.

926 OFFICE OF THE TREASURER AND RECEIVER GENERAL

927 0640-1008 For the water pollution abatement trust established in section 2 of chapter
928 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund
929 established in section 2L of chapter 29 of the General Laws for application by the trust to the
930 purposes specified in section 5 of said chapter 29C, any portion of which may be used as a
931 matching grant by the commonwealth to federal capitalization grants received under Title VI of
932 the Clean Water Act or for deposit in the Drinking Water Revolving Fund established in section
933 2QQ of said chapter 29 for application by the trust to the purposes specified in section 18 of said
934 chapter 29C, any portion of which may be used as a matching grant by the commonwealth to
935 federal capitalization grants received under the Safe Drinking Water Act; provided, that funds
936 may be used to assist homeowners in complying with 310 CMR 15.00 for subsurface disposal of
937 sanitary waste; provided further, that funds may be used to assist with per-and polyfluoroalkyl

938 substances contamination remediation and the remediation of nitrogen-sensitive areas as
939 designated by the department of environmental protection; and provided further, that not less
940 than \$50,000,000 shall be expended for projects identified by the special commission established
941 in section 72 to address wastewater infrastructure needs and reduce nitrogen pollution in
942 southeastern Massachusetts near Buzzards Bay.....\$450,000,000

943 SECTION 2F.

944 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

945 Office of the Secretary

946 1100-2524 For grants to cities, towns, tribal governments, regional organizations
947 whose membership is exclusively composed of municipal governments, municipal
948 redevelopment authorities or agencies and other state agencies or quasi-governmental agencies to
949 support capital investments that support climate mitigation, adaption, resiliency and recovery
950 efforts in the commonwealth; provided, that purposes may include, but shall not be limited to,
951 planning and studies, preparation of plans and specifications, site assembly and preparation,
952 dispositions, acquisitions, repairs, renovations, improvements, construction, demolition,
953 remediation, modernization and reconstruction of facilities, infrastructure, equipment and other
954 capital assets.....\$50,000,000

955 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

956 Department of Fire Services

957 8324-0102 For a grant program to support the development, testing and purchase of
958 per- and polyfluoroalkyl substance-free firefighter turnout gear that meets or exceeds the

959 standards established in section 245 of chapter 111 of the General Laws; provided, that funds
960 may be used to support the development and testing of new materials and designs for turnout
961 gear that reduce inherent firefighting dangers including, but not limited to, enhanced protection
962 against primary and secondary exposure to particulates and byproducts of combustion and
963 reduced maintenance that includes contamination resistance and greater ease of cleaning for any
964 new technical fabrics or designs; provided further, that funds may be used for the disposal of
965 turnout gear which contains per- and polyfluoroalkyl substances but is no longer in use; and
966 provided further, that the department of fire services may reimburse cities and towns that have
967 previously expended public funds on the purchase of per- and polyfluoroalkyl substance-free
968 firefighter gear that meets or exceeds the requirements of said section 245 of said chapter 111
969\$25,000,000

970 SECTION 2G.

971 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

972 Office of the Secretary

973 7004-4785 For the Massachusetts Housing Finance Agency established in section 3 of
974 chapter 708 of the acts of 1966 to capitalize a permanent, revolving residential production
975 momentum fund for the purpose of accelerating the development of mixed-income and
976 workforce multifamily housing production projects by providing financial assistance in the form
977 of innovative, low-cost and flexible capital funding, which may be in the form of debt, equity, or
978 other instruments, depending on individual underwriting needs of the project; provided, that not
979 less than 20 per cent of the units in a project that receives financial assistance under this item
980 shall be restricted to households with incomes between 60 per cent and 120 per cent, inclusive,

981 of the area median income; provided further, that notwithstanding paragraph (f) of section 5 of
982 said chapter 708, the agency may in its discretion set the terms and prepayment options for any
983 mortgage or other loan or instrument issued to any project receiving such financial assistance
984 based on the individual underwriting needs of the project; provided further, that such financial
985 assistance shall be awarded in a manner that promotes geographic equity; provided further, that
986 funds expended from this item shall, to the maximum extent feasible, be prioritized for projects
987 that comply with decarbonization and sustainability standards; provided further, that
988 prioritization shall be determined through objective scoring criteria in the Qualified Allocation
989 Plan developed by the executive office of housing and livable communities; provided further,
990 that for new construction projects, the standards set forth in the commonwealth's Opt-in
991 Specialized Energy Code under 225 CMR 22.00 and 23.00 and the Enterprise Green
992 Communities standards shall be the applicable standards for prioritization; provided further, that
993 any project proposing less than full compliance with those standards shall provide detailed
994 analysis demonstrating why full compliance would render the project infeasible notwithstanding
995 utilization of all available federal and state incentives, including rebates and tax credits; provided
996 further, that for retrofits of existing units, prioritization shall be given to projects that include
997 energy efficiency and electrification decarbonization measures including, but not limited to,
998 electric or ground source heat pumps, net-zero developments, Passive House Institute
999 certification or an equivalent energy efficiency certification and all-electric buildings and
1000 projects that incorporate green, sustainable and climate-resilient elements; and provided further,
1001 that projects that include lower embodied carbon construction materials and methods shall be
1002 further prioritized..... \$50,000,000

1003 SECTION 3. Chapter 10 of the General Laws is hereby amended by striking out section
1004 35PP, as appearing in the 2024 Official Edition, and inserting in place thereof the following
1005 section:-

1006 Section 35PP. (a) There shall be a Salisbury Beach Preservation Trust Fund which shall
1007 be administered by the department of conservation and recreation for the long-term preservation
1008 and maintenance of the Salisbury beach and dune system.

1009 (b) The fund shall be credited with: (i) surcharges authorized by subsection (e); (ii)
1010 revenue from appropriations or other money authorized by the general court and specifically
1011 designated to be credited to the fund; (iii) funds from public or private sources, including gifts,
1012 grants, donations, rebates and settlements received by the commonwealth that are specifically
1013 designated to be credited to the fund; and (iv) interest earned on any money in the fund.

1014 (c) Amounts credited to the fund shall be expended without further appropriation for: (i)
1015 the acquisition of sand for the restoration and stabilization of Salisbury beach and the public
1016 areas of the protective dune system abutting Salisbury beach; (ii) the acquisition, installation and
1017 maintenance of dune stabilization plants and sand fencing; and (iii) funding beach nourishment
1018 and dune stabilization and restoration projects, in whole or in part, or providing local or state
1019 matching funds for coastal resilience projects by other governmental or nongovernmental
1020 entities.

1021 (d) The unexpended balance in the fund at the close of a fiscal year shall remain available
1022 for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the
1023 fund to be in deficit at any point.

1024 (e) Notwithstanding any general or special law to the contrary, the department of
1025 conservation and recreation shall impose a surcharge of \$4 upon each fee charged and collected
1026 from admission into, camping and parking in the Salisbury beach reservation. The additional
1027 money collected from the surcharge shall be deposited into the fund.

1028 (f) Annually, not later than March 1, the department of conservation and recreation shall
1029 report on the activities of the fund for the preceding calendar year which shall include, but not
1030 limited to: (i) a summary of projects undertaken, expenditures made and income received by the
1031 fund; (ii) a list of detailed, itemized summaries of executed projects; and (iii) visitor traffic data.
1032 The report shall be submitted to the clerks of the senate and house of representatives and to the
1033 senate and house committees on ways and means.

1034 (g) The department of conservation and recreation shall, biennially, update the Salisbury
1035 beach state reservation barrier beach management plan which shall include a long-term disaster
1036 prevention and recovery plan and an operational plan for the day-to-day management and
1037 maintenance of the beach.

1038 SECTION 4. Section 35BBB of chapter 10 of the General Laws, as appearing in the 2024
1039 Official Edition, is hereby amended by striking out, in line 11, the figure “\$1” and inserting in
1040 place thereof the following figure:- “\$2”.

1041 SECTION 5. Chapter 10 of the General Laws is hereby amended by inserting after
1042 section 35TTT the following 2 sections:-

1043 Section 35UUU. (a) There shall be established and set up on the books of the
1044 commonwealth a separate, non-budgeted special revenue fund to be known as the Quabbin Host
1045 Community Trust Fund. The fund shall be administered by the secretary of energy and

1046 environmental affairs and shall be used to support the services, public safety and development of
1047 municipalities within the Quabbin Reservoir watershed, as defined by the department of
1048 conservation and recreation, including, but not limited to, lands authorized to be taken under
1049 chapter 321 of the acts of 1927 or any successor statute granting the taking of land for a similar
1050 purpose.

1051 (b) The fund shall be credited with: (i) revenue from appropriations or other money
1052 authorized by the general court and specifically designated to be credited to the fund; (ii) funds
1053 from public or private sources, including gifts, grants, donations, rebates and settlements
1054 received by the commonwealth that are specifically designated to be credited to the fund; and
1055 (iii) interest earned on any money in the fund. Amounts credited to the fund shall be expended
1056 without further appropriations and the unexpended balance in the fund at the end of a fiscal year
1057 shall remain available for expenditure in subsequent fiscal years. No expenditure made from the
1058 fund shall cause the fund to be in deficit at any point.

1059 (c) The secretary, in consultation with the several select boards of the municipalities
1060 within the Quabbin Reservoir watershed, shall establish rules and regulations for the
1061 administration of the fund.

1062 (d) Annually, not later than October 1, the secretary shall file with the clerks of the senate
1063 and house of representatives and the house and senate committees on ways and means a report of
1064 the fund's activities, including but not limited to expenditures made and income received by the
1065 fund.

1066 Section 35VVV. (a) There shall be a Manuel F. Correllus State Forest Trust Fund. The
1067 fund shall be administered by the secretary of energy and environmental affairs and shall be used

1068 to advance recreational, educational and conservation interests within the forest complex
1069 including, but not limited to, the construction and maintenance of facilities and infrastructure
1070 improvements.

1071 (b) The fund shall be credited with: (i) revenue from appropriations or other money
1072 authorized by the general court and specifically designated to be credited to the fund; (ii) funds
1073 from public or private sources, including gifts, grants, donations, rebates and settlements
1074 received by the commonwealth that are specifically designated to be credited to the fund; (iii) all
1075 fees generated by permits, licenses and easements and all other agreements not currently being
1076 directed to the General Fund relating to the use of the forest complex land; and (iv) interest
1077 earned on any money in the fund. Amounts credited to the fund shall be expended without
1078 further appropriation and the unexpended balance in the fund at the close of a fiscal year shall
1079 remain available for expenditure in subsequent fiscal years. No expenditure made from the fund
1080 shall cause the fund to be in deficit at any point.

1081 (c) Annually, not later than October 1, the secretary shall file with the clerks of the senate
1082 and house of representatives and the house and senate committees on ways and means a report of
1083 the fund's activities including, but not limited to, expenditures made and income received by the
1084 fund.

1085 SECTION 6. Section 48 of said chapter 10 of the General Laws, as appearing in the 2024
1086 Official Edition, is hereby amended by adding the following sentence:- The fund shall be for the
1087 purpose of supporting, through grant programs, dairy farms registered pursuant to chapter 94.

1088 SECTION 7. Section 6C of chapter 20 of the General Laws, as so appearing, is hereby
1089 amended by striking out, in line 3, the figure “18” and inserting in place thereof the following
1090 figure:- 20.

1091 SECTION 8. Said section 6C of said chapter 20, as so appearing, is hereby further
1092 amended by inserting after the word “affairs”, in line 19, the following words:- ; 1 of whom shall
1093 be the director of the division of marine fisheries or a designee; 1 of whom shall be the director
1094 of the University of Massachusetts center for agriculture, food and the environment or a
1095 designee.

1096 SECTION 9. Chapter 21 of the General Laws is hereby amended by inserting after
1097 section 2G the following section:-

1098 Section 2H. (a) The commissioner of conservation and recreation shall consider land
1099 under the care and control of the department for potential designation and long-term passive
1100 management as a forest reserve and shall recommend designation of land as a forest reserve;
1101 provided, however, that such designation shall: (i) contribute to carbon sequestration and storage
1102 as part of the commonwealth’s climate mitigation strategy; (ii) allow forest habitats to mature
1103 and develop over time without human intervention in ecological processes as part of a holistic,
1104 statewide, biodiversity conservation strategy; (iii) maintain connections between natural
1105 landscape blocks and species movement corridors; (iv) allow for passive outdoor recreation; and
1106 (v) facilitate ecological research, comparative studies of forest dynamics and long-term
1107 monitoring to evaluate reserves as compared to other land management approaches.

1108 (b) The commissioner, with the approval of a simple majority of the stewardship council
1109 members present at a duly called meeting of the council, may designate land under the care and

1110 control of the department as a forest reserve. Forest reserves shall be managed consistent with
1111 such designation, unless the commissioner, with the approval of not less than a two-thirds
1112 majority of the council present at a duly called meeting of the council, and with the approval of
1113 the secretary of energy and environmental affairs, de-designates such land.

1114 (c) Designation or de-designation of land as a forest reserve shall constitute an
1115 administrative designation and shall not constitute a change to the care, custody, control, use or
1116 classification of the land or cause the disposal of land or an interest in land.

1117 (d) The department shall passively manage forest reserves with minimal interference to
1118 the natural ecology of the land. Forest reserves shall not be managed for production of timber or
1119 natural resources. After consultation with a forest reserve science and technical advisory
1120 committee to be administered by the secretary of energy and environmental affairs, the
1121 department may actively manage or make restorations to: (i) support ecological functions; (ii)
1122 control pests, pathogens and invasive species; (iii) restore water and wetland resources; (iv)
1123 protect public safety; or (v) address other unforeseen circumstances. The department may
1124 undertake such other management actions as may be required by law.

1125 Regulated hunting and trapping, conversion or removal of plantations, maintenance or
1126 repair of existing roads, trails and administrative access points, preservation of historic and
1127 cultural resources, removal of immediate threats to public safety, selective understory invasive
1128 plant control and monitoring and research activities shall be permitted within forest reserves.

1129 SECTION 10. Said chapter 21 is hereby further amended by inserting after section 3G
1130 the following section:-

1131 Section 3H. (a) The commissioner of conservation and recreation may promulgate rules
1132 and regulations for: (i) the management and use of all property under the control of the
1133 department including all roads and highways wholly or in part within the boundaries of such
1134 property, including rules and regulations relative to hunting and fishing, except in great ponds,
1135 not inconsistent with the laws protecting fish, birds, mammals and quadrupeds; (ii) the
1136 management and use of the Charles river, Mystic river and Neponset river; provided that no such
1137 rule or regulation shall affect the water rights of any person, including, but not limited to, a mill
1138 owner; and (iii) the care, maintenance, protection and policing of the Charles river basin as
1139 defined in section 2 of chapter 524 of the acts of 1909 and amendments thereto; provided that no
1140 such rule or regulation shall impair freight traffic. Such rules and regulations may provide for the
1141 payment of fees and other charges for the parking of vehicles and for the enjoyment of other
1142 special privileges within the territory under such control.

1143 No such rule or regulation shall prohibit the use of passenger or station wagon type motor
1144 vehicles with a gross weight of not more than 5,000 pounds and which are registered for
1145 commercial use, on ways, parkways or boulevards where non-commercial passenger-type motor
1146 vehicles are permitted to operate.

1147 The commissioner may enter into and issue agreements, licenses and permits for
1148 recreational and other uses, and grant concessions for the sale of refreshments and other articles
1149 and the furnishing of services on department property which they deem compatible and
1150 consistent with this section and Article XCVII of the amendments to the Constitution; provided,
1151 however, that such agreements, licenses and permits shall be for periods not exceeding 10 years
1152 and shall be in writing.

1153 (b) A violation of such a rule or regulation shall be punished by a fine of not more than
1154 \$500 and each day a violation continues, including the unauthorized or unpermitted use and
1155 occupation of department property, shall constitute a separate violation.

1156 (c) The commissioner may authorize, in writing, non-criminal enforcement by
1157 department staff of department rules and regulations relating to parking under this section.

1158 A police officer employed by a city or town in whose boundaries department property is
1159 located shall have all the same powers within any such department property and the power to
1160 enforce the laws of the commonwealth and the rules and regulations of the department as
1161 applicable to such property.

1162 (d) Notwithstanding any other general or special law to the contrary, revenue from any
1163 fines or penalties recovered for violation under this section shall be accounted for by the clerk of
1164 the court of jurisdiction and forwarded to the department of conservation and recreation to be
1165 deposited as revenue.

1166 (e) The department may assess a civil administrative penalty of not more than \$1,000 per
1167 day for the continuing violation of any rule or regulation promulgated pursuant to this section,
1168 including: (i) the use, occupation or alteration of department property without written
1169 authorization as required by the department or for noncompliance with any such written
1170 authorization; (ii) defacing department property; (iii) littering; (iv) disposing of household or
1171 commercial garbage or refuse in a trash barrel on department property; and (v) requirements for
1172 cleanup of pet waste and the leashing of dogs in any area not designated for off-leash dogs. Each
1173 day a violation continues shall constitute a separate violation. The remedies provided in this
1174 paragraph shall be available in addition to any other penalties or remedies provided by law. The

1175 department may adopt and promulgate regulations to effectuate the purposes of this paragraph. A
1176 penalty assessed pursuant to this paragraph shall be assessed only in addition to any other civil
1177 penalty otherwise provided for by law. Notice of assessment of a penalty pursuant to this
1178 paragraph shall be made by service in hand, or by certified mail, return receipt requested, and
1179 shall state the amount of the administrative penalty, the date the penalty shall be due, a statement
1180 of the violator's right to an adjudicatory hearing pursuant to chapter 30A regarding the
1181 assessment, a statement of the actions the person may take in order to avoid assessment of
1182 additional penalties or to avoid waiving the right to a hearing relative to the penalty and the
1183 manner of acceptable payment if an election to waive a hearing is made. A person or political
1184 subdivision of the commonwealth shall be deemed to have waived all right to an adjudicatory
1185 hearing unless, within 21 days of the date of the department's notice, a written notice is received
1186 by the department, by hand or by certified mail, return receipt requested, requesting such
1187 adjudicatory hearing. In the event that such request is not received in accordance with this
1188 section, the proposed administrative penalty shall become final and payment shall be due in
1189 accordance with the notice.

1190 SECTION 11. Paragraph (b) of section 67 of said chapter 21, as appearing in the 2024
1191 Official Edition, is hereby amended by striking out the third sentence and inserting in place
1192 thereof the following sentence:- The regulations shall be in accordance with generally accepted
1193 standards of irrigation practice.

1194 SECTION 12. Paragraph (c). of said section 67 of said chapter 21, as so appearing, is
1195 hereby amended by inserting after the word "lands", in line 29, the following words:- or golf
1196 courses.

1197 SECTION 13. Chapter 21A of the General Laws is hereby amended by inserting after
1198 section 2A the following section:-

1199 Section 2B. (a) There shall be within the executive office of energy and environmental
1200 affairs a drought management task force. The task force shall consist of: the secretary or a
1201 designee, who shall serve as co-chair; the director of the Massachusetts emergency management
1202 agency or a designee, who shall serve as co-chair; the commissioner of agricultural resources or
1203 a designee; the commissioner of conservation and recreation or a designee; the commissioner of
1204 environmental protection or a designee; the state fire marshal or a designee; the commissioner of
1205 fish and game or a designee; the commissioner of public health or a designee; the commissioner
1206 of public utilities or a designee; the executive director of the Massachusetts Water Resources
1207 Authority or a designee; the executive director of Massachusetts Association of Health Boards,
1208 Inc. the executive director of Massachusetts Rivers Alliance, Inc., ; the executive director of
1209 Massachusetts Water Works Association Inc.; and the executive director of the Water Supply
1210 Citizens advisory committee to the Massachusetts Water Resources Authority. The co-chairs
1211 shall jointly coordinate the task force and may invite officials from federal agencies to provide
1212 scientific and technical input. The task force shall meet not less than monthly when drought
1213 conditions exist. The task force shall be staffed by the director of water policy and other staff of
1214 the water resources commission.

1215 (b) The task force shall: (i) assist in collecting and assessing technical information; (ii)
1216 facilitate coordination and communication among task force members, agencies and the public;
1217 and (iii) provide recommendations to the secretary, the secretary of public safety and security
1218 and the governor on the existing drought level and any proposed responses to such drought level.

1219 The task force shall also make recommendations for the end of a drought, the reduction of the
1220 drought level or for the commencement or cessation of a drought declaration.

1221 (c) The executive office of energy and environmental affairs shall, with assistance from
1222 the task force and approval by the water resources commission, maintain and periodically update
1223 a statewide drought management plan that protects public health, public safety and the
1224 environment which shall include, but is not limited to: (i) the approach and methods for
1225 collecting and assessing technical information; (ii) an assessment of drought levels and process
1226 for determining a drought; (iii) information addressing drought preparedness and response
1227 protocol to drought conditions; and (iv) methods of coordination and communication among task
1228 force members, agencies and the public. The task force may create and maintain a map depicting
1229 subregions consistent with the major basins. The task force may update the statewide drought
1230 management plan at any time; provided, however, that the plan shall be reviewed not less than
1231 every 5 years and updated not less than every 10 years; provided further, that the drought
1232 management plan shall be approved by the water resources commission after a public review and
1233 comment period.

1234 (d) The secretary may declare a drought upon consideration of the recommendations of
1235 the task force. The secretary may order water conservation measures, including limits on
1236 nonessential outdoor water use, based on the severity of drought in drought regions or basins to
1237 protect public health, safety or the environment. Such water conservation measures shall apply to
1238 all water users within a drought region or basin unless otherwise determined by the secretary
1239 with prior notice to the task force.

1240 (e) Notwithstanding section 27C of chapter 29 or any other general or special law to the
1241 contrary, cities and towns shall coordinate on and effectuate compliance with water conservation
1242 measures issued by the secretary to the fullest extent permitted by law.

1243 (f) The secretary shall issue guidance and recommended best practices for cities and
1244 towns to implement and enforce measures ordered under subsection (d) and may provide grants
1245 or technical assistance to support cities and towns with communication and enforcement for
1246 water conservation measures. Cities and towns shall designate a point of contact for
1247 communication of information related to water conservation and drought conditions.

1248 SECTION 14. Section 4C of chapter 21A, as so appearing, is hereby amended by
1249 inserting after the word “change”, in line 21, the following words “, ocean acidification”.

1250 SECTION 15. Section 25 of chapter 21A of the General Laws, as so appearing, is hereby
1251 amended by striking out subsection (a) and inserting in place thereof the following subsection:-

1252 (a) There shall be a water infrastructure advisory committee to review, monitor and
1253 evaluate measures to address: (i) the progress of closing the gap in funding for water, wastewater
1254 and stormwater infrastructure; (ii) new sources of funding to be used for closing the gap in
1255 funding for water, wastewater and stormwater infrastructure; (iii) costs associated with
1256 remediation of per- and polyfluoroalkyl substances in drinking water; (iv) costs associated with
1257 the removal of lead service lines; (v) costs associated with the elimination of combined sewer
1258 overflows; (vi) costs associated with the reduction of nutrients in effluent discharges, biosolids
1259 management and stormwater management as required by the United States Environmental
1260 Protection Agency permits and stormwater standards established by the department of
1261 environmental protection. The advisory committee shall meet not less than once every quarter or

1262 more frequently at the call of the secretary of energy and environmental affairs or a designee or
1263 upon the written request of not less than 2 members of the advisory committee.

1264 SECTION 16. Chapter 21A of the General Laws is hereby amended by adding the
1265 following section:-

1266 Section 32. (a) The secretary shall establish a municipal reforestation program to provide
1267 municipalities with grants and technical assistance to assist in developing science-based tree
1268 management plans and, consistent with such plans, planting and maintaining trees on public land
1269 or private lands with the consent of the owner and subject to appropriate covenants that shall
1270 assure the continued presence and effectiveness of such planted trees.

1271 (b) Municipalities participating in the municipal reforestation program shall prioritize the
1272 planting of trees in areas experiencing heat island effects or that are underserved with tree cover
1273 and shall seek to preserve existing trees and urban forests and, whenever feasible, purchase
1274 locally sourced native trees. A municipality participating in the municipal reforestation program
1275 may enter into an agreement with another municipality, a regional group of municipalities, a
1276 regional planning agency or the department of conservation and recreation to purchase trees in
1277 bulk.

1278 (c) The secretary may secure funding from public or private sources for the municipal
1279 reforestation program and shall seek any federal funding available to support the program. The
1280 program shall provide technical assistance to municipalities, nonprofit organizations and regional
1281 planning agencies in identifying and applying for any federal funding that is available to support
1282 urban forests or municipal tree planting programs.

1283 (d) A municipality may enter into an agreement with another municipality, a regional
1284 group of municipalities, a regional planning agency or a nonprofit organization to jointly apply
1285 to the municipal reforestation program.

1286 SECTION 17. Chapter 21H of the General Laws is hereby amended by adding the
1287 following 2 sections:-

1288 Section 9. (a) As used in this section, the following words shall have the following
1289 meanings unless the context clearly requires otherwise:

1290 “Aerosol coating product”, a pressurized coating product containing pigments or resins
1291 dispensed by means of a propellant and packaged and sold in a disposable aerosol container for
1292 handheld application, or for use in specialized equipment for ground traffic or marking
1293 applications.

1294 “Architectural paint”, interior and exterior architectural coatings sold in containers of not
1295 more than 5 gallons; provided, however, that “architectural paint” shall not include industrial or
1296 original equipment.

1297 “Collection site”, a location or event at which paint is accepted into a postconsumer paint
1298 stewardship program pursuant to a program plan.

1299 “Department”, the department of environmental protection.

1300 “Environmentally sound management practices”, procedures for the collection, storage,
1301 transportation, reuse, recycling, energy recovery, and disposal of paint, that comply with all
1302 applicable federal, state and local laws, including adequate record keeping, tracking and

1303 documenting of the final disposition of materials and appropriate environmental liability
1304 coverage.

1305 “Household waste”, all solid or liquid waste materials from households including single
1306 and multiple dwellings, hotels, motels and other residential sources which shall include: (i)
1307 garbage, rubbish and sludge but shall not include sewage; (ii) materials defined as hazardous
1308 wastes in section 2 of chapter 21C; and (iii) materials defined as source, special nuclear or by-
1309 product material under the provisions of the Atomic Energy Act of 1954.

1310 “Manufacturer”, a manufacturer of paint product who sells, offers for sale or distributes
1311 the paint product in the commonwealth under the manufacturer’s own name or brand.

1312 “Paint” or “paint product,” architectural paint, aerosol coating products or additional
1313 products as covered in a program plan; provided, however, that “paint” or “paint product” shall
1314 not include industrial or original equipment.

1315 “Postconsumer paint”, paint not used and no longer of use to a purchaser.

1316 “Program plan”, a postconsumer paint stewardship program established pursuant to
1317 subsection (b).

1318 “Recycling”, the separation and reuse or remanufacture of materials which might
1319 otherwise be disposed of as solid waste.

1320 “Representative organization”, a nonprofit organization established by a manufacturer to
1321 implement a program plan.

1322 “Retailer”, a company that offers paint or other allied products for retail sale in the
1323 commonwealth.

1324 “Very small quantity generator”, a person who: (i) generates not more than 100 kilograms
1325 of regulated recyclable material in a calendar month; provided, that no acutely hazardous
1326 regulated recyclable material is included; and (ii) accumulates not more than 1,000 kilograms of
1327 regulated recyclable material at any one time.

1328 (b)(1) A manufacturer or representative organization shall submit to the department a
1329 program plan for the establishment of a postconsumer paint product stewardship program for
1330 postconsumer paint. Additional paint products may be proposed in a subsequent program plan in
1331 consultation with the department.

1332 (2) A program plan submitted to the department under this section shall: (i) provide a list
1333 of participating manufacturers and brands covered; (ii) provide information on the paint
1334 products; (iii) describe how the plan will provide for convenient and cost-effective statewide
1335 collection of postconsumer paint in the commonwealth; provided, that the manufacturer or
1336 representative organization may coordinate with existing household waste collection
1337 infrastructure as is mutually agreeable; provided further, that a paint retailer may be authorized
1338 by the manufacturer or representative organization as a paint collection site if the paint retailer
1339 volunteers to act as such, complies with all applicable laws and regulations and the retail location
1340 is consistent with the maintenance of a cost-effective network of paint collection sites; (iv)
1341 establish a goal for the quantity and geographic distribution of collection sites for postconsumer
1342 paint using geographic modeling that would ensure: (A) not less than 90 per cent of residents
1343 have a collection site within a 15-mile radius of their domicile; and (B) at least 1 collection site
1344 will be available for every 50,000 of an urbanized area, as defined by the United States Census
1345 Bureau, unless otherwise approved by the department; (v) describe how paint products will be
1346 managed using environmentally sound management practices with an emphasis on local reuse

1347 options; (vi) describe education and outreach efforts to inform consumers about the program plan
1348 including, but not limited to: (A) information about collection opportunities for postconsumer
1349 paint products; (B) information about the fee for the operation of the program that shall be
1350 included in the purchase price of all paint products sold in the commonwealth; and (C) efforts to
1351 promote the source reduction, reuse and recycling of architectural paint; and (vii) describe any
1352 added fee to paint products sold in the commonwealth as a result of a program plan and
1353 administrative fees paid to the department deposited to the Paint Extended Producer
1354 Responsibility Trust Fund.

1355 (3) An independent auditor selected by the manufacturer or representative organization,
1356 in consultation with the department, shall verify that the fee added to each container of a paint
1357 product will not exceed the costs to operate and sustain a program plan, including costs of the
1358 department. The cost of any work performed by such independent auditor shall be funded by a
1359 program plan.

1360 (4) Not later than 120 days after submission of a program plan under this section, the
1361 department shall make a determination in writing whether to approve a program plan as
1362 submitted or disapprove a program plan. The department shall make the proposed program plan
1363 or amendment available for public review and comment for not less than 30 days.

1364 (5) The department shall enforce an approved program plan and may promulgate
1365 regulations to enforce this section, including establishing enforcement procedures.

1366 (c)(1) A manufacturer or retailer shall not sell, or offer for sale, a paint product to any
1367 person in the commonwealth unless the manufacturer or representative organization is
1368 implementing an approved program plan as required by subsection (b).

1369 (2) A manufacturer or retailer shall be in compliance with this paragraph if, on the date
1370 the paint product was offered for sale, the manufacturer or retailer is listed on the department's
1371 website as implementing or participating in an approved program plan, or if the paint product
1372 brand is listed on the department's website as being included in the program plan.

1373 (3) A paint collection site shall not charge any additional amount for the management of
1374 paint products when it is solicited for collection.

1375 (4) Each manufacturer and retailer shall include the per-container fee amount set forth in
1376 an approved plan in the purchase price of any paint product sold in or into the commonwealth.
1377 Retailers may incorporate the fee as part of the price amount displayed to consumers. Retailers
1378 are not required to incorporate the fee as part of the price amount displayed to consumers,
1379 provided that those retailers make information about the fee available to consumers prior to
1380 purchase.

1381 (d) A manufacturer or representative organization implementing or participating in a
1382 program plan shall not be liable for any claim of a violation of antitrust, restraint of trade, unfair
1383 trade practice or other anticompetitive conduct arising from action undertaken in accordance
1384 with a program plan.

1385 (e) A manufacturer or representative organization implementing a program plan shall
1386 submit a report annually, not later than June 1, for the proceeding calendar year to the
1387 department detailing results of the program plan for the previous year.

1388 (f) Financial, production or sales data reported to the department by a manufacturer,
1389 retailer or a representative organization shall not be subject to public disclosure, but the

1390 department may release a summary form of such data that does not disclose financial, production
1391 or sales data of the manufacturer, retailer or representative organization.

1392 (g) A program plan shall be implemented not more than 6 months after the date that such
1393 manufacturer or representative organization program plan is approved. The department may
1394 extend the date of implementation.

1395 (h)(1) Generators of household waste and very small quantity generators may transport or
1396 send their paint products to a paint collection site in accordance with the program plan.

1397 (2) Notwithstanding any general or special law to the contrary, paint collection sites may
1398 collect and temporarily store postconsumer paint generated by persons specified in subsection (b)
1399 in accordance with the requirements of the program plan.

1400 (3) Nothing in this section shall be construed as restricting the collection of postconsumer
1401 paint products by a stewardship program where such collection is authorized under any other
1402 laws or regulations.

1403 (4) Nothing in this section shall be construed to affect any requirements applicable to
1404 facilities that treat, dispose or recycle postconsumer paint products under an otherwise applicable
1405 law, rule or regulation.

1406 (i)(1) Any program plan amendment shall be submitted to the department for approval
1407 when the amendment proposes changes to the program fee or substantial changes to program
1408 services.

1409 (2) The department shall review any program plan amendment for compliance with this
1410 section and shall approve, disapprove or conditionally approve the plans or plan amendments in

1411 writing within 120 days of their receipt. If the department disapproves a plan amendment
1412 submitted, the department shall explain how the plan amendment does not comply with this
1413 section. The manufacturer or representative organization shall resubmit to the department a
1414 revised program plan amendment or withdraw the amendment within 60 days of the date the
1415 written notice of disapproval is issued and the department shall review the revised program plan
1416 or plan amendment within 30 days of resubmittal.

1417 (3) When an amendment to an approved plan is submitted under this subsection, the
1418 department shall make the proposed amendment available for public review and comment for not
1419 less than 30 days.

1420 SECTION 18. Section 5 of chapter 21N of the General Laws, as appearing in the 2024
1421 Official Edition, is hereby amended by inserting after the word “lands”, in line 46, the first time
1422 it appears, the following words:- “, including, but not limited to, salt marshes, seagrasses,
1423 waterways and other coastal ecosystems.

1424 SECTION 19. The General Laws are hereby amended by inserting after chapter 21O the
1425 following chapter:-

1426 Chapter 21P

1427 MASSACHUSETTS PLASTICS REDUCTION ACT

1428 Section 1. As used in this chapter, the following words shall have the following meanings
1429 unless the context clearly requires otherwise:

1430 “Bag”, a container made of flexible material with an opening at the top that is used to
1431 carry items.

1432 “Carryout bag”, a bag provided to a customer to carry items purchased from or serviced
1433 by a business, retailer, organization or other entity; provided, however, that “carryout bag” shall
1434 not include a bag without handles: (i) provided by a pharmacy to a customer purchasing
1435 prescription medication; (ii) used to protect items from damaging or contaminating other
1436 purchased items placed in a recycled paper bag or a reusable bag; (iii) provided to contain an
1437 unwrapped food item; (iv) used to protect articles of clothing on a hanger; (v) used to prevent
1438 frozen food items from thawing; (vi) provided or made available to a customer purchasing raw
1439 meat, uncooked seafood or other similar products; (vii) used to contain and secure small items;
1440 or (viii) a similar non-handled bag as determined by the department to be essential and not
1441 readily replaceable.

1442 “Customer”, a person who purchases or otherwise receives goods, services or materials
1443 from a business, organization, corporation or other entity.

1444 “Department”, the department of environmental protection.

1445 “Disposable”, designed to be discarded after a single or limited number of uses and not
1446 designed or manufactured for long-term multiple reuse.

1447 “Food service ware”, disposable products used for serving or transporting foods or
1448 beverages for human consumption including, but not limited to, plates, bowls, trays, cups,
1449 cartons, hinged or lidded containers, straws, stirrers, cup spill plugs, cup sleeves, condiments
1450 containers, utensils, cocktail sticks or picks, toothpicks, film wrap and napkins; provided,
1451 however, that “food service ware” shall not include detachable lids for beverage cups or food
1452 containers, coolers or ice chests.

1453 “Hotel”, a building or portion of a building regularly used for the lodging of guests,
1454 including, but not limited to, an apartment hotel, a motel or a boarding house, whether or not
1455 meals are served on the premises.

1456 “Hospitality personal care product”, a product provided by a hotel and intended to be
1457 applied to or used on the human body, or any part thereof, for cleansing, conditioning or
1458 moisturizing, including, but not limited to, shampoo, conditioner, lotion and liquid soap.

1459 “Plastic”, any synthetic or semi-synthetic material made partially or entirely from fossil
1460 fuel-based petrochemical polymers that retains its shape during its lifecycle, including, but not
1461 limited to, polystyrene, polyethylene, polypropylene and polycarbonate.

1462 “Postconsumer recycled material”, material used in a recycled paper bag that would
1463 otherwise be disposed of as solid waste and that does not comprise any material or byproduct
1464 generated from, and commonly reused within, an original manufacturing and fabrication process.

1465 “Recycle”, to separate, dismantle or process the materials, components or commodities in
1466 materials for the purpose of preparation for use or reuse in new products or components;
1467 provided, however, that “recycle” shall not include energy recovery or energy generation by
1468 means of combustion, including, but not limited to, pyrolysis, gasification or other heat chemical
1469 conversion processes, or landfill disposal.

1470 “Recycled paper bag”, a paper bag that is 100 per cent recyclable and contains not less
1471 than 50 per cent postconsumer recycled material.

1472 “Reusable bag”, a bag that: (i) is made of machine-washable cloth, fabric, hemp or other
1473 woven or non-woven fibers; (ii) has handles that are stitched with thread and not heat-fused; and

1474 (iii) is designed and manufactured for multiple uses; provided, however, that a “reusable bag”
1475 shall not include a bag made of plastic film of any thickness.

1476 “Serviced” or “servicing”, the past or present act of cleaning, repairing, improving,
1477 refinishing or altering an item owned by a customer by a person engaged in a retail business of
1478 customarily providing such services, including, but not limited to, dry cleaning and tailoring
1479 articles of clothing, jewelry repair and shoe and leather repair.

1480 Section 2. (a) A retailer or charging entity shall not provide a customer a carryout bag
1481 unless such carryout bag is a recycled paper bag or a reusable bag; provided, however, that a
1482 customer shall be charged not less than 10 cents per recycled paper bag provided; provided
1483 further, that a recycled paper bag purchased under this section shall not be subject to taxation
1484 pursuant to chapter 64H or 64I.

1485 (b) Five cents per recycled paper bag sold shall be remitted by the retailer or charging
1486 entity to the department of revenue at the same time and in the same manner as sales taxes are
1487 due to the commonwealth. The department of revenue shall deposit such amounts into the
1488 Plastics Environmental Protection Fund established under section 2QQQQQQ of chapter 29. The
1489 department of revenue may promulgate regulations to facilitate the collection of the fee set forth
1490 in this paragraph. The retailer or charging entity shall retain the remainder of the amount charged
1491 to customers.

1492 (c) Nothing in this section shall prohibit the sale or offering for sale of packages
1493 containing several bags, products or goods with a protective or other bag received from a
1494 manufacturer or distributor or bags offered for sale as a product or merchandise that are not
1495 carryout bags.

1496 (d) This section shall not apply to: (i) bags otherwise required to be used under state or
1497 federal law; or (ii) a nonprofit organization, charity or religious institution in the provision or
1498 distribution of food, clothing or other items at no cost or substantially reduced cost.

1499 (e) A business with not more than 1 store location with an area of not more than 4,000
1500 square feet of retail selling space and not more than 10 employees, and which provided not more
1501 than 10,000 carryout bags in total during the previous calendar year, shall not be required to
1502 collect or remit bag fees as otherwise set forth in this section.

1503 Section 3. (a) Except as provided in subsection (b), a retailer or charging entity shall not
1504 provide a customer with food service ware unless requested by the customer.

1505 (b) A retailer or charging entity may make food service ware available to a customer for
1506 self-service to allow for non-bundled, single-use food service ware to be obtained.

1507 Section 4. (a) For the purposes of this section, “state agency” shall mean any department
1508 of state government, independent state authority, quasi-public authority, board, district,
1509 commission, instrumentality or agency of the commonwealth and the executive, legislative and
1510 judicial branches.

1511 (b) State agencies shall not expend state funds to procure single-use plastic bottles that
1512 have a capacity of 21 fluid ounces or less; provided, however, that state agencies shall be exempt
1513 from this requirement if such exemption is required to provide for disability or accessibility
1514 related accommodations.

1515 (c) Subsection (b) shall not apply: (i) when no alternative is available or practicable; (ii)
1516 when necessary to protect public health, safety and welfare; (iii) when compliance with this

1517 section would conflict with contract requirements or labor agreements in existence as of the
1518 effective date of this section or agreements solicited before the effective date of this section; and
1519 (iv) to prepare for or respond to an emergency.

1520 Section 5. The department shall establish a statewide program to provide for the recycling
1521 of bulk plastic materials, including, but not limited to, child passenger restraints as defined in
1522 section 1 of chapter 90, and may: (i) implement local or regional bulk plastic recycling programs;
1523 (ii) accept applications from municipalities for grants and to award grants to assist in the
1524 development or establishment of local and regional bulk plastic recycling programs; and (iii)
1525 partner or contract with private organizations to assist in the development or establishment of a
1526 bulk plastic recycling program.

1527 Section 6. A municipality shall not pass, adopt, promulgate or otherwise effectuate an
1528 ordinance, by-law or other rule or regulation inconsistent with this chapter.

1529 Section 7. Except as otherwise provided, the department shall promulgate regulations to
1530 implement and enforce this chapter. The department may promulgate regulations to increase the
1531 minimum postconsumer recycled material required for recycled paper bags.

1532 Section 8. The department shall establish and assess civil administrative penalties
1533 pursuant to section 16 of chapter 21A for violations of this chapter.

1534 The superior court department of the trial court may assess civil penalties as set forth in
1535 this section and enjoin violations of and grant such additional relief as it deems necessary or
1536 appropriate to secure compliance with, the provisions of this chapter, or any regulation, rule or
1537 other order or action adopted or issued pursuant to this section. The attorney general and district

1538 attorneys may bring enforcement actions under this section in the superior court department of
1539 the trial court or any other court of competent jurisdiction.

1540 SECTION 20. Chapter 21P of the General Laws, inserted by section 12, is hereby
1541 amended by inserting after section 2 the following section:-

1542 Section 2A. A hotel shall not provide or otherwise make available a hospitality personal
1543 care product in a plastic container with a volume of less than or equal to 9 ounces. Each day a
1544 hotel is in violation of this section shall be considered a separate violation.

1545 SECTION 21. Section 3 of chapter 21P of the General Laws, inserted by by section 12, is
1546 hereby amended by adding the following subsection:-

1547 (c) No food service ware provided pursuant to this section shall be made from black
1548 plastic; provided, however, that this subsection shall not apply to prepared food packaged outside
1549 the commonwealth.

1550 SECTION 22. Section 22 of chapter 25 of the General Laws, as amended by chapter 239
1551 of the acts of 2024, is hereby further amended by adding the following 3 subsections:-

1552 (f) Public and private water utilities shall file biennial reports, on or before January 1 and
1553 July 1, with the executive office of energy and environmental affairs regarding customer service
1554 data. The reports shall be public record and shall include, but shall not be limited to, the
1555 following information, disaggregated by zip codes:

1556 (1) The number of customers receiving service from a water utility provider;

1557 (2) The number customer disconnection notices sent due to bill nonpayment;

1558 (3) The number and dates of water shut offs that took place and average time between
1559 service disconnection due to non-payment and service reconnection;

1560 (4) The number of customer accounts that became eligible for disconnection due to bill
1561 nonpayment but were not disconnected because of any legally mandated or voluntary suspension
1562 of disconnections;

1563 (5) The number of customers charged late fees, penalties, reconnection fees, interest, and
1564 any other charge associated with late payment of a bill;

1565 (6) The number of liens on real property placed, sold, or enforced due to nonpayment;

1566 (7) The number of customers enrolled in deferred payment agreements at the end of each
1567 month, and the average length of the repayment term under those agreements;

1568 (8) The number of customers that entered into, successfully completed, or defaulted from
1569 a deferred payment agreement;

1570 (9) Customer assistance programs available to water consumers, including terms of
1571 eligibility, and available budget for each program;

1572 (10) The number of customers receiving assistance under each customer assistance
1573 program at the end of each month, the total dollar amount of assistance provided, and the number
1574 of customers who were denied assistance; and

1575 (11) The methods and contents of general communications by local utilities and public
1576 utilities to customers concerning their rights and available assistance programs if customers are
1577 unable to pay their bills in full.

1578 (g) The executive office of energy and environmental affairs may adopt regulations
1579 necessary to implement this section.

1580 (h) Annually, not later than March 15, the executive office of energy and environmental
1581 affairs shall report to the senate and house committees on ways and means and the joint
1582 committee on environment, natural resources and agriculture data concerning the results of such
1583 equity audit reports.

1584 SECTION 23. Chapter 29 of the General Laws is hereby amended by inserting after
1585 section 2NNNNNN the following 4 sections:-

1586 Section 2000000. (a) There shall be established and set up on the books of the
1587 commonwealth a separate, non-budgeted special revenue fund known as the Resilience
1588 Revolving Fund. The fund shall be administered by the board of trustees of the Massachusetts
1589 Clean Water Trust established by section 2 of chapter 29C. The fund shall be credited with
1590 amounts credited or transferred to the fund by the general court or any other source, including,
1591 but not limited to: fees or tax revenue specified to be credited to the fund; federal grants; loan
1592 repayments; investment earnings on monies in the fund; and any other amounts required to be
1593 credited to the trust by operation of law, resolution or agreement entered into by the board. The
1594 state treasurer shall be the treasurer-custodian of the fund, and, subject to any applicable trust
1595 agreement, the state treasurer is authorized to invest monies held in the fund in such investments
1596 as may be legal investments for funds of the commonwealth.

1597 Amounts credited to the fund may be used, without further appropriation, to provide for:

1598 (i) loans to municipalities, tribal governments and public water and wastewater districts for
1599 climate resilient infrastructure projects recommended by the advisory committee; and (ii)

1600 technical support for eligible applicants needing assistance for projects to be ready to apply for
1601 said loans and program management, to be provided by the executive office for energy and
1602 environmental affairs; provided that the amount expended under (ii) shall not exceed the amount
1603 approved annually by the board based on a recommendation by the advisory committee.

1604 The unexpended balance in the fund at the end of a fiscal year shall remain available for
1605 expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund
1606 to be in deficit at any point.

1607 (b) There shall be an advisory committee to the board consisting of the state treasurer,
1608 who shall serve ex officio; the secretary of administration and finance who shall serve ex officio;
1609 the secretary of energy and environmental affairs who shall serve ex officio, 1 member appointed
1610 by the trust and 1 member appointed by the secretary of energy and environmental affairs. Each
1611 member of the advisory committee may appoint a designee pursuant to section 6A of chapter 30.
1612 The committee shall choose its chair. The advisory committee shall recommend eligible climate
1613 resilient infrastructure projects and expenditures for technical support and program management
1614 to the board for approval for loans in subsection (d). The executive office of energy and
1615 environmental affairs shall promulgate regulations setting forth the criteria for a climate
1616 resilience project and any key project requirements, including but not limited to the scope of the
1617 project, any ongoing requirements and covenants and compliance with subsection (b) of section
1618 283 of chapter 238 of the acts of 2024 regarding the use of project labor agreements. The
1619 advisory committee shall consider only projects for which it has received a certificate issued by
1620 the executive office of energy and environmental affairs that approves the project in accordance
1621 with regulations and that identifies the specific project requirements, including but not limited to
1622 the scope, timeline and costs of the project.

1623 (c) The board may provide by resolution for the issuance from time to time of bonds for
1624 any purpose of the fund, which bonds shall be issued as special obligations payable solely from
1625 the revenues, funds and other assets or property held or to be received by the trust with respect to
1626 said fund.

1627 The bonds of each issue may be dated, may bear interest at such rate or rates, including
1628 rates variable from time to time, and may mature or otherwise be payable or redeemable at such
1629 times as the board may determine. The board shall determine the denominations of bonds, the
1630 details of their execution and authentication and their places of payment within or without the
1631 commonwealth. In case any trustee or officer whose signature appears on any bonds shall cease
1632 to be such officer before their delivery, the signature shall nevertheless be valid and sufficient as
1633 if the officer had remained in office until delivery. Bonds may be issued in certificated or
1634 uncertificated form, payable to bearer or registered owners, and, if notes, may be made payable
1635 to bearer or to order. The board may sell the bonds of the trust at public or private sale at par or
1636 for such premium or discount price as it may determine. The board may by resolution delegate to
1637 any trustee or officer of the trust the power to determine any of the matters set forth in this
1638 section.

1639 Bonds of the trust may be secured by a trust agreement between the trust and the bond
1640 owners or a corporate trustee which may be any trust company or bank having the powers of a
1641 trust company within or without the commonwealth. A trust agreement may pledge or assign, in
1642 whole or in part, any loan agreements and local governmental obligations, and the revenues,
1643 funds and other assets or property held or to be received by the trust with respect to the
1644 Resilience Revolving Fund, including without limitation all monies and investments on deposit
1645 from time to time in the fund or any account of such trust agreement and any contract or other

1646 rights to receive the same, whether then existing or thereafter coming into existence and whether
1647 then held or thereafter acquired by the trust, and the proceeds thereof. A trust agreement may
1648 contain, without limitation, provisions for protecting and enforcing the rights, security and
1649 remedies of the bondholders, provisions defining defaults and establishing remedies, which may
1650 include acceleration and may also contain restrictions on the remedies by individual
1651 bondholders. A trust agreement may also contain covenants of the trust concerning the custody,
1652 investment and application of monies, the enforcement of loan agreements and local
1653 governmental obligations, the issue of additional or refunding bonds, the use of any surplus bond
1654 proceeds, the establishment of reserves and the regulation of other matters customarily treated in
1655 trust agreements. At the request of the board, the state treasurer shall and is hereby authorized to
1656 join in any trust agreement or to otherwise agree with the trust, any lender or any trustee for
1657 bondholders to hold the fund in compliance with any covenants and provisions relating to the
1658 fund contained in any trust agreement.

1659 Bonds may be issued by the trust in the form of lines of credit or other banking
1660 arrangements under terms and conditions determined by the board. In addition to other lawful
1661 security, bonds may be secured, in whole or in part, by financial guarantees, by insurance, by
1662 letters or lines of credit or by other credit enhancement issued to the trust or to a trustee or other
1663 person, by any bank, trust company, insurance or surety company or other financial institution,
1664 within or without the commonwealth; the trust may pledge or assign, in whole or in part, any
1665 loan agreements and local governmental obligations and the revenues, funds and other assets and
1666 property held or to be received by the trust with respect to the Resilience Revolving Fund, and
1667 any contract or other rights to receive the same, whether then existing or thereafter coming into
1668 existence and whether then held or thereafter acquired by the trust, and the proceeds thereof, as

1669 security for such guarantees or insurance or for the reimbursement to any issuer of a line or letter
1670 of credit.

1671 The board may by resolution provide for the issue by the trust of interim receipts or
1672 temporary bonds, exchangeable for definitive bonds when the bonds are executed and are
1673 available for delivery. The board may also provide for replacement of mutilated, destroyed or
1674 lost bonds. The trust may purchase and invite offers to tender for purchase any outstanding
1675 bonds; provided, however, that no purchase by the trust shall be made at a price, exclusive of
1676 accrued interest, if any, exceeding the bond's principal amount or, if greater, its redemption price
1677 when next redeemable at the option of the trust. The trust may resell any bonds it purchases in
1678 such manner and for such price as it may determine.

1679 The board may also issue refunding bonds of the trust for the purpose of paying any
1680 bonds at or prior to maturity. Refunding bonds may be issued at any time at or prior to the
1681 maturity or redemption or purchase of the refunded bonds. Refunding bonds may be issued in
1682 sufficient amounts to pay or provide for payment of the principal of the bonds being refunded,
1683 together with any redemption premium thereon, any interest or discount accrued or to accrue to
1684 the date of payment, costs of issuance and other expenses and reserves reasonably necessary to
1685 achieve the refunding.

1686 Bonds of the trust shall be: (i) securities in which public officers and agencies, insurance
1687 companies, financial institutions, investment companies, executors, administrators, trustees and
1688 others may properly invest funds including capital within their control; and (ii) securities which
1689 may be deposited with any public officer or any agency for any purpose for which the deposit of
1690 bonds is authorized by law.

1691 Bonds issued by the trust shall not be deemed to be a debt or a pledge of the faith and
1692 credit of the commonwealth or of any of its political subdivisions, but shall be payable solely
1693 from the revenues and monies of the Resilience Revolving Fund and other monies and rights
1694 pledged to their payment. Bonds shall recite that neither the commonwealth nor any political
1695 subdivision thereof shall be obligated to pay the same and neither the faith and credit nor the
1696 taxing power of the commonwealth or any political subdivision is pledged to their payment.
1697 Every bond shall recite it is a special obligation payable solely from the revenues, funds, assets
1698 or other property of the Resilience Revolving Fund.

1699 Bonds of the trust shall be deemed to be investment securities under chapter 106. Bonds,
1700 their transfer and the income therefrom, including any profit made on the sale thereof, shall at all
1701 times be exempt from taxation by and within the commonwealth. The trust shall not be required
1702 to pay any taxes, assessments or excises upon its income, existence, operation, or assets, monies
1703 or revenues.

1704 It shall be lawful for any bank or trust company to act as a depository of the fund or
1705 trustee under a trust agreement, provided it furnishes indemnification and reasonable security as
1706 the board may require. Any assignment or pledge of revenues, funds and other assets and
1707 property made by the trust shall be valid and binding and shall be deemed continuously perfected
1708 for the purposes of chapter 106 and other laws when made. The revenues, funds and other assets
1709 and property, rights therein and thereto and proceeds so pledged and then held or thereafter
1710 acquired or received by the trust shall immediately be subject to the lien of such pledge without
1711 any physical delivery or segregation or further act, and the lien of any such pledge shall be valid
1712 and binding against all parties having claims of any kind in tort, contract or otherwise against the
1713 trust, whether or not such parties have notice thereof. The trust agreement by which a pledge is

1714 created need not be filed or recorded to perfect the pledge except in the records of the board and
1715 no filing need be made pursuant to said chapter 106. Any pledge or assignment made by the trust
1716 is an exercise of its political and governmental powers, and loan agreements, local governmental
1717 obligations, revenues, funds, assets, property and contract or other rights to receive the same and
1718 the proceeds thereof which are subject to the lien of a pledge or assignment created under this
1719 chapter shall not be applied to any purposes not permitted by the pledge or assignment. Any
1720 holder of a bond and any trustee under a trust agreement, except to the extent its rights may be
1721 restricted by the trust agreement, may bring suit upon the bonds and may pursue any other legal
1722 action to protect and enforce its rights and compel performance of all duties required to be
1723 performed by the trust and the board.

1724 (d) In addition to the other powers set forth in Chapter 29C, the board shall have the
1725 power to make loans and other forms of financial assistance to finance or refinance costs of
1726 climate resilient infrastructure projects as authorized by subsection (a), and to acquire, hold and
1727 sell local governmental obligations and other instruments evidencing the loans and other forms
1728 of financial assistance at such prices and in such manner as the board shall deem advisable and to
1729 secure bonds of the trust with loans, local governmental obligations and other instruments.

1730 Any municipality, tribal government and public water and wastewater district may apply
1731 to the executive office of energy and environmental affairs for a loan to assist in financing the
1732 cost of a climate resilient infrastructure project. At the option of the trust, loans may be
1733 unsecured or may be secured by local governmental obligations for delivery to the trust to
1734 evidence the loan. Each loan shall be made pursuant to a loan agreement between the trust and
1735 such entity acting by and through the officer or officers, board, committee or other body

1736 authorized by law, or otherwise its chief executive officer. The trust shall have such remedies
1737 with respect to defaults on such loans as set forth in section 11 of chapter 29C.

1738 Section 2PPPPPP. (a) For the purposes of this section, “Historic Connecticut River Water
1739 Trail” shall mean, unless the context clearly indicates otherwise, the portion of the Connecticut
1740 River beginning at the Holyoke Dam located at river mile 83.4, and ending at the northern border
1741 of the municipality of Hatfield located at river mile 104.3.

1742 (b) There shall be established and set up on the books of the commonwealth a separate,
1743 non-budgeted special revenue fund known as the Historic Connecticut River Water Trail
1744 Marking Fund, which shall be administered by the executive office of energy and environmental
1745 affairs to support maintenance of the Historic Connecticut River Water Trail.

1746 (c) The fund shall be credited with: (i) money transferred to the fund by a municipality;
1747 (ii) money transferred to the fund by the municipal gas and electric commission of the city of
1748 Holyoke; (iii) money transferred to the fund by the general court and specifically designated to
1749 be credited to the fund; (iv) funds from public and private sources, including, but not limited to,
1750 gifts, grants and donations; and (v) interest earned on such money.

1751 (d) Amounts credited to the fund shall be expended, without further appropriation, by the
1752 secretary of energy and environmental affairs, in consultation with the director of the office of
1753 law enforcement, the director of the office of outdoor recreation and the chief executive officers
1754 of the municipalities of Easthampton, Hadley, Hatfield, Holyoke, Northampton and South
1755 Hadley, to ensure the placement of river markers to ensure safe navigable passage and recreation
1756 on the Historic Connecticut River Water Trail.

1757 (e) The unexpended balance in the fund at the end of a fiscal year shall not revert to the
1758 General Fund and shall remain available for expenditure in subsequent fiscal years. To
1759 accommodate timing discrepancies between the receipt of revenues and related expenditures, the
1760 secretary of the executive office of energy and environmental affairs may incur expenses, and the
1761 comptroller shall certify for payment, amounts not to exceed the most recent revenue estimate as
1762 certified by the Massachusetts environmental police, as reported in the state accounting system.

1763 Section 2QQQQQQ. (a) There shall be a Plastics Environmental Protection Fund to be
1764 expended, without prior appropriation, by the department of environmental protection. The fund
1765 shall consist of: (i) revenue from appropriations or other money authorized by the general court
1766 and specifically designated to be credited to the fund; (ii) interest earned on such revenues; (iii)
1767 funds from public and private sources, including, but not limited to, gifts, grants, donations and
1768 settlements received by the commonwealth that are designated to be credited to the fund; (iv)
1769 federal funds paid to the commonwealth designated to be credited to the fund; and (v) monies
1770 paid to the commonwealth pursuant to chapter 21P, including all funds collected by the
1771 department of revenue pursuant to section 2 of said chapter 21P. The fund shall be expended to:
1772 (i) improve the air, water, soil or other environmental conditions for low and moderate income
1773 communities; (ii) provide reusable bags at no-cost to low and moderate income communities and
1774 individuals receiving benefits administered by the department of transitional assistance at no
1775 cost; (iii) issue grants to small businesses that are incorporated and have principal places of
1776 business in the commonwealth to assist in the reduction of plastic use within each business,
1777 including, but not limited to, small businesses in the food service and production industries; and
1778 (iv) provide multilingual, culturally competent educational materials and programming on bag
1779 reuse and recycling and other aspects of environmental protection. Any bond proceeds deposited

1780 into the fund shall be kept separate from any and all other funds deposited into the fund. No
1781 expenditure from the fund shall cause the fund to be in deficiency at the close of a fiscal year.
1782 Monies deposited into the fund that are unexpended at the end of a fiscal year shall not revert to
1783 the General Fund and shall be available for expenditure in the subsequent fiscal years.

1784 (b) The department of environmental protection shall administer the fund. Annually, not
1785 later than October 1, the department shall report on the activities of the fund from the previous
1786 fiscal to the senate and house committees on ways and means and the joint committee on
1787 environment and natural resources. The department may promulgate regulations or issue other
1788 guidance to implement this section. The department shall consult with the department of
1789 transitional assistance to equitably implement the provision of no-cost reusable bags as set forth
1790 in subsection (a). The department shall consult with the Massachusetts Growth Capital
1791 Corporation to equitably implement the provision of grants to small businesses to assist in the
1792 reduction of plastic use.

1793 Section 2RRRRRR. (a) There shall a Paint Extended Producer Responsibility Trust Fund
1794 which shall be administered by the commissioner of environmental protection. The fund shall be
1795 credited with: (i) fees authorized under section 9 of chapter 21H; (ii) any appropriation, grant,
1796 gift or other contribution made to the fund; and (iii) any interest earned on money in the fund.

1797 (b) Amounts credited to the fund shall be expended, without further appropriation, for the
1798 department of environmental protection to administer the postconsumer paint stewardship
1799 program established in section 9 of chapter 21H. Any unexpended balance in the fund at the
1800 close of a fiscal year shall remain available for expenditure in subsequent fiscal years. No
1801 expenditure made from the fund shall cause the fund to be in deficit at any point.

1802 SECTION 24. Section 2000000 of chapter 29 of the General Laws, as inserted by
1803 section 10, is hereby amended by inserting after the words “including, but not limited to:” the
1804 following words:- any amounts transferred pursuant to paragraph (2) of subsection (d) of section
1805 168 of chapter 175;

1806 SECTION 25. Section 62E of said chapter 30, as so appearing, is hereby amended by
1807 adding the following paragraph:-

1808 The secretary may, in consultation with the secretary of housing and livable communities,
1809 establish priority housing projects consistent with commonwealth land use planning and housing
1810 strategies, climate resilient design guidelines, environmental priorities and nature-based solutions
1811 projects and public coastal resilience infrastructure projects in previously disturbed and
1812 developed areas as defined by the executive office of environmental affairs, as categories of
1813 projects that are not presumed likely to cause damage to the environment and do not require an
1814 environmental impact report regardless of location; provided however, that such projects meet
1815 standards as determined by the secretary. Notwithstanding the foregoing, the secretary may
1816 determine that a particular project requires an environmental impact report based on review of a
1817 notification form submitted under section 62A.

1818 SECTION 26. Section 106 of chapter 41 of the General Laws, as so appearing, is hereby
1819 amended by striking out, in lines 11 and 12, the words “arboriculture and licensed with the
1820 department of food and agriculture” and inserting in place thereof the following words:-
1821 “arboriculture and licensed with the department of agricultural resources.

1822 SECTION 27. Section 1 of chapter 61 of the General Laws, as so appearing, is hereby
1823 amended by striking out the definition of “forest products” and inserting in place thereof the
1824 following definition:-

1825 “Forest products”, wood, timber, Christmas trees, other tree forest growth, carbon
1826 sequestration and storage and any other product produced by forest vegetation.

1827 SECTION 28. Said section 1 of said chapter 61, as so appearing, is hereby further
1828 amended by striking out, in line 18, the words “including intermediate” and inserting in place
1829 thereof the following words:- which may include, but shall not be limited to, intermediate.

1830 SECTION 29. Section 8 of said chapter 61, as so appearing, is hereby amended by
1831 striking out, in lines 94 and 111, the words “section 23B of chapter 39” and inserting in place
1832 thereof, in each instance, the following words:- sections 18 to 25, inclusive, of chapter 30A.

1833 SECTION 30. Said chapter 61 is hereby amended by inserting after section 8 the
1834 following section:-

1835 Section 8A. The department of conservation and recreation shall have a first refusal
1836 option to meet a bona fide offer to purchase land proposed for sale pursuant to section 8 or an
1837 option to purchase such land at full and fair market value in the case of conversion, which option
1838 shall be subordinate to that of a town or city pursuant to section 8. Except as provided herein, the
1839 department shall have all applicable rights and obligations of cities and towns under section 8
1840 including, but not limited to, the right of entry upon the land, the provision of non-exercise
1841 notices and the recording of notices of exercise at the appropriate registry of deeds. The
1842 department, or its assignee, and the town or city may cooperate to satisfy the appraisal
1843 requirements or other obligations required by section 8 or this section.

1844 If the notice of intent to sell or convert required by section 8 does not contain all the
1845 required material, then the department, within 30 days of receipt of the notice, shall notify the
1846 landowner and town or city in writing that the notice is insufficient and does not comply.

1847 A holder of a mortgage shall send written notice of a mortgage foreclosure sale to the
1848 commissioner of the department in the same manner as to other parties as required by section 8.

1849 A city or town shall provide to the commissioner any notice of public hearing, notice of
1850 exercise or non-exercise, and notice of assignment in the same manner, and containing the same
1851 materials, as is required to be given to the landowner pursuant to section 8.

1852 The department may assign its option to the division of fisheries and wildlife of the
1853 department of fisheries, wildlife and environmental law enforcement; provided, however, that a
1854 notice of assignment shall be recorded pursuant to section 8.

1855 The department or its assignee may exercise its option only after: (i) consultation with the
1856 executive office of housing and livable communities and the executive office of economic
1857 development; and (ii) holding a public hearing. Said hearing shall be held pursuant to sections 18
1858 to 25, inclusive, of chapter 30A within the town or city where the land is located or in 1 such
1859 town or city if the land crosses a municipal boundary and shall be held prior to submission of a
1860 written notice of intent to exercise an option under this section. The department, or assignee, at
1861 said hearing, shall disclose the reasons for exercise of the option pursuant to this section and
1862 identify any assignment by the department. The department, or its assignee, may comply with the
1863 public hearing requirement by participating in a scheduled public meeting of a town or city.

1864 The department, or its assignee, may exercise an option under this section by providing
1865 written notice of its intent to the town or city and landowner prior to the end of the same 120-day

1866 period available to the town or city for exercise of its option pursuant to section 8. An option so
1867 exercised shall be effective at such time as the town or city records a notice of non-exercise with
1868 the registry of deeds or that the town's or city's option otherwise expires.

1869 The department shall record its notice of assignment or notice of exercise within 30 days
1870 of the earliest of: (i) receipt by the commissioner of a notice of non-exercise from the town or
1871 city; (ii) expiration of a town or city option by failure to record a notice of exercise or notice of
1872 assignment; or (iii) receipt by the commissioner of notice from the landowner of expiration for
1873 any other reason.

1874 Land acquired by the department or division pursuant to this section shall be permanently
1875 dedicated for public purposes as specified in, and subject to, Article XCVII of the Amendments
1876 to the Constitution of the Commonwealth.

1877 SECTION 31. Section 14 of chapter 61A of the General Laws, as appearing in the 2024
1878 Official Edition, is hereby amended by striking out, in lines 95 and 112, the words "section 23B
1879 of chapter 39" and inserting in place thereof, in each instance, the following words:- sections 18
1880 to 25, inclusive, of chapter 30A.

1881 SECTION 32. Said chapter 61A of the General Laws is hereby amended by inserting
1882 after section 14 the following section:-

1883 Section 14A. The department of agricultural resources shall have a first refusal option to
1884 meet a bona fide offer to purchase land proposed for sale pursuant to section 14 or an option to
1885 purchase such land at full and fair market value in the case of conversion, which option shall be
1886 subordinate to that of a town or city pursuant to section 14. Except as provided herein, the
1887 department shall have all applicable rights and obligations of cities and towns under section 14

1888 including, but not limited to, the right of entry upon the land, the provision of non-exercise
1889 notices and the recording of notices of exercise at the appropriate registry of deeds. The
1890 department, or its assignee, and the town or city may cooperate to satisfy the appraisal
1891 requirements or other obligations required by section 14 or this section.

1892 Any notice of intent to sell or convert required by section 14 and all required
1893 accompanying materials shall be provided to the commissioner of agricultural resources in the
1894 same manner as they are conveyed by the landowner to other parties. If the notice of intent to sell
1895 or convert provided to the commissioner does not contain all the required material, then the
1896 department, within 30 days of receipt of the notice, shall notify the landowner and town or city in
1897 writing that the notice is insufficient and does not comply.

1898 A holder of a mortgage shall send written notice of a mortgage foreclosure sale to the
1899 commissioner in the same manner as to other parties as required by section 14.

1900 Any city or town shall provide to the commissioner any notice of public hearing, notice
1901 of exercise or non-exercise, and notice of assignment in the same manner, and containing the
1902 same materials, as is required to be given to the landowner pursuant to section 14.

1903 The department may assign its option to the department of conservation and recreation,
1904 provided that a notice of assignment shall be recorded pursuant to section 14.

1905 The department or its assignee shall exercise its option only after: (i) consultation with
1906 the executive office of housing and livable communities and the executive office of economic
1907 development; and (ii) holding a public hearing. Said hearing shall be held pursuant to sections 18
1908 to 25, inclusive, of chapter 30A; within the town or city where the land is located or in 1 such
1909 town or city if the land crosses a municipal boundary; and prior to submission of a written notice

1910 of intent to exercise an option under this section. The department, or assignee, at said hearing,
1911 shall disclose the reasons for exercise of the option pursuant to this section and identify any
1912 assignment by the department. The department, or its assignee, may comply with the public
1913 hearing requirement by participating in a scheduled public meeting of a town or city.

1914 The department, or its assignee, may exercise an option under this section by providing
1915 written notice of its intent to the town or city and landowner prior to the end of the same 120-day
1916 period available to the town or city for exercise of its option pursuant to section 14. An option so
1917 exercised shall be effective at such time as the town or city records a notice of non-exercise with
1918 the registry of deeds or that the town's or city's option otherwise expires.

1919 The department shall record its notice of assignment or notice of exercise within 30 days
1920 of the earliest of: (i) receipt by the commissioner of a notice of non-exercise from the town or
1921 city; (ii) expiration of a town or city option by failure to record a notice of exercise or notice of
1922 assignment; or (iii) receipt by the commissioner of notice from the landowner of expiration for
1923 any other reason.

1924 Land acquired by the department of agricultural resources or the department of
1925 conservation and recreation pursuant to this section shall be permanently dedicated for public
1926 purposes as specified in, and subject to, Article XCVII of the Amendments to the Constitution of
1927 the Commonwealth.

1928 SECTION 33. Section 9 of chapter 61B of the General Laws, as appearing in the 2024
1929 Official Edition, is hereby amended by striking out, in lines 95 and 112, the words "section 23B
1930 of chapter 39" and inserting in place thereof, in each instance, the following words:- sections 18
1931 to 25, inclusive, of chapter 30A.

1932 SECTION 34. Said chapter 61B is hereby amended by inserting after section 9 the
1933 following section:-

1934 Section 9A. The department of conservation and recreation shall have a first refusal
1935 option to meet a bona fide offer to purchase land proposed for sale pursuant to section 9 or an
1936 option to purchase such land at full and fair market value in the case of conversion, which option
1937 shall be subordinate to that of a town or city pursuant to section 9. Except as provided herein, the
1938 department shall have all applicable rights and obligations of cities and towns under section 9
1939 including, but not limited to, the right of entry upon the land, the provision of non-exercise
1940 notices and the recording of notices of exercise at the appropriate registry of deeds. The
1941 department, or its assignee, and the town or city may cooperate to satisfy the appraisal
1942 requirements or other obligations required by section 9 or this section.

1943 If the notice of intent to sell or convert required by section 9 does not contain all the
1944 required material, then the department, within 30 days of receipt of the notice, shall notify the
1945 landowner and town or city in writing that the notice is insufficient and does not comply.

1946 A holder of a mortgage shall send written notice of a mortgage foreclosure sale to the
1947 commissioner in the same manner as to other parties as required by section 9.

1948 A city or town shall provide to the commissioner any notice of public hearing, notice of
1949 exercise or non-exercise, and notice of assignment in the same manner, and containing the same
1950 materials, as is required to be given to the landowner pursuant to section 9.

1951 The department may assign its option to the division of fisheries and wildlife of the
1952 department of fish and game, provided that a notice of assignment shall be recorded as provided
1953 in section 9.

1954 The department, or its assignee, shall exercise its option only after: (i) consultation with
1955 the executive office of housing and livable communities and the executive office of economic
1956 development; and (ii) holding a public hearing. Said hearing shall be held pursuant to sections 18
1957 to 25, inclusive, of chapter 30A; within the town or city where the land is located or in 1 such
1958 town or city if the land crosses a municipal boundary; and prior to submission of a written notice
1959 of intent to exercise an option under this section. The department, or assignee, at said hearing,
1960 shall disclose the reasons for exercise of the option pursuant to this section and identify any
1961 assignment by the department. The department, or its assignee, may comply with the public
1962 hearing requirement by participating in a scheduled public meeting of a town or city.

1963 The department, or its assignee, may exercise an option under this section by providing
1964 written notice of its intent to the town or city and landowner prior to the end of the same 120-day
1965 period available to the town or city for exercise of its option pursuant to section 9. An option so
1966 exercised shall be effective at such time as the town or city records a notice of non-exercise with
1967 the registry of deeds or that the town's or city's option otherwise expires.

1968 The department shall record its notice of assignment or notice of exercise within 30 days
1969 of the earliest of: (i) receipt by the commissioner of a notice of non-exercise from the town or
1970 city; (ii) expiration of a town or city option by failure to record a notice of exercise or notice of
1971 assignment; or (iii) receipt by the commissioner of notice from the landowner of expiration for
1972 any other reason.

1973 Land acquired by the department of conservation and recreation or the department of fish
1974 and game pursuant to this section shall be permanently dedicated for public purposes as specified
1975 in, and subject to, Article XCVII of the Amendments to the Constitution of the Commonwealth.

1976 SECTION 35. Chapter 87 of the General Laws is hereby amended by striking out section
1977 2, as so appearing, and inserting in place thereof the following section:-

1978 Section 2. The tree warden of a city or town may appoint and remove deputy tree
1979 wardens. The tree warden and the deputy tree wardens shall receive such compensation as the
1980 city or town determines. The tree warden shall have the care and control of all public shade trees,
1981 shrubs and growths in their respective city or town, except those in public parks or open places
1982 under the jurisdiction of the park commissioners, unless otherwise designated in writing by the
1983 park commissioners, and shall enforce all laws for the preservation of shade trees, shrubs and
1984 growths. The tree warden shall expend all money appropriated for the setting out and
1985 maintenance of such shade trees, shrubs and growths. No tree shall be planted in or on a public
1986 way without the approval of the tree warden. The tree warden may propose regulations for the
1987 care and preservation of public shade trees to be approved by the local governing body of a city
1988 or town, which shall have the same effect as the city or town ordinances or by-laws and may
1989 establish fines and forfeitures for violations thereof pursuant to rules and regulations
1990 promulgated under section 15.

1991 SECTION 36. Said chapter 87 is hereby further amended by striking out sections 5 and 6,
1992 as so appearing, and inserting in place thereof the following 2 sections:-

1993 Section 5. No person except tree wardens and deputy tree wardens shall, without a
1994 hearing, trim, cut down or remove trees with trunks less than 4 inches in diameter 1 foot from the
1995 ground or bushes standing in public ways; provided, however, that if ordered by the mayor,
1996 members of the select board, road commissioners or highway surveyor shall trim or cut down
1997 trees and bushes that, following an inspection based on accepted industry or government

1998 arboricultural standards for the determination of hazardous or dangerous trees, are deemed to
1999 obstruct, endanger, hinder or inconvenience persons traveling thereon or to obstruct buildings
2000 being moved pursuant to section 18 of chapter 85. Nothing in this chapter shall prevent the
2001 appropriate state or municipal authority from trimming, cutting or removing any tree that
2002 endangers persons traveling on a highway or otherwise poses an imminent threat to persons or
2003 property. In all other instances, a person seeking to trim, cut or remove a tree from a public way
2004 shall consult with the tree warden. Nothing in this section shall interfere with the suppression of
2005 pests declared to be public nuisances pursuant to section 11 of chapter 132, including beetles that
2006 spread the Dutch elm disease.

2007 Section 6. A violation of sections 3 to 5, inclusive, shall be punished by a fine of not
2008 more than the assessed value of any trees pursuant to rules and regulations promulgated under
2009 section 15. Any money collected under this section shall be for use by the city or town.

2010 SECTION 37. Section 9 of said chapter 87, as so appearing, is hereby amended by
2011 striking out the first sentence and inserting in place thereof the following sentence:- Whoever
2012 affixes to a tree on a public way, places a notice, sign, advertisement or other thing, whether in
2013 writing or otherwise, or cuts, paints or marks such tree, except for the purpose of protecting it or
2014 the public and under a written permit from the officer having the charge of trees in the city or
2015 town or from the tree warden in the city or town or from the department in the case of a state
2016 highway shall be punished by a fine pursuant to rules and regulations promulgated under section
2017 15.

2018 SECTION 38. Section 12 of said chapter 87, as so appearing, is hereby amended by
2019 striking out the first sentence and inserting in place thereof the following sentence:- Whoever

2020 wantonly injures, defaces or destroys a shrub, plant, tree or fixture of ornament or utility in a
2021 public way or place or any public enclosure or whoever negligently or willfully suffers an animal
2022 or vehicle driven by a person or belonging to such person to injure, deface or destroy a shrub,
2023 plant, tree or fixture of ornament or utility shall be punished by a fine of not more than \$500 and
2024 shall be liable to the city or town or any person injured thereby for all damages relating to the
2025 city, town or person's interest in the shrub, plant, tree or fixture caused by such act.

2026 SECTION 39. Section 13 of said chapter 87, as so appearing, is hereby amended by
2027 adding the following sentence:- In accordance with section 106 of chapter 41, the tree warden in
2028 a city, or in a town having a population of more than 10,000 residents, shall be a qualified tree
2029 warden; provided, however, that for the purposes of this section, "qualified tree warden" shall
2030 mean a person with training and experience in the field of arboriculture, which shall include, but
2031 not be limited to: (i) an accredited degree in a forestry or natural resource management field; (ii)
2032 attained certification from the International Society of Arboriculture, the Massachusetts Certified
2033 Arborist Program sponsored by the Massachusetts Arborists Association, Inc. or any other
2034 equivalent professional certification; (iii) professional development courses offered by the
2035 Massachusetts Tree Wardens' and Foresters' Association, Inc.; or (iv) equivalent training, as
2036 determined by the department.

2037 SECTION 40. Chapter 87 of the General Laws is hereby amended by inserting after
2038 section 14 the following section:-

2039 Section 15. The department of conservation and recreation shall promulgate regulations
2040 and issue rules to implement this chapter.

2041 SECTION 41. Section 2 of chapter 91 of the General Laws, as appearing in the 2024
2042 Official Edition, is hereby amended by striking out, in line 22, the words “and council” and
2043 inserting in place thereof the following words:- or a designee.

2044 SECTION 42. Section 2A of said chapter 91, as so appearing, is hereby amended by
2045 striking out, each time they appear, in lines 11, 15, and 20, the words “and council” and inserting
2046 in place thereof, in each instance, the following words:- or a designee.

2047 SECTION 43. Section 4 of said chapter 91, as so appearing, is hereby amended by
2048 striking out, in line 4, the words “and council” and inserting in place thereof the following
2049 words:- or a designee.

2050 SECTION 44. Section 5 of said chapter 91, as so appearing, is hereby amended by
2051 striking out, in line 1, the words “and council” and inserting in place thereof the following
2052 words:- or a designee.

2053 SECTION 45. Section 6 of said chapter 91, as so appearing, is hereby amended by
2054 striking out, in lines 9 and 10, the words “and council” and inserting in place thereof the
2055 following words:- or a designee.

2056 SECTION 46. Section 9A of said chapter 91, as so appearing, is hereby amended by
2057 striking out, in lines 17 and 18, the words “and council” and inserting in place thereof the
2058 following words:- or a designee.

2059 SECTION 47. Section 13 of said chapter 91, as so appearing, is hereby amended by
2060 striking out, in lines 11 and 12, the words “and council” and inserting in place thereof the
2061 following words:- or a designee.

2062 SECTION 48. Section 14 of said chapter 91, as so appearing, is hereby amended by
2063 striking out, in lines 6 and 7, the words “and council” and inserting in place thereof the following
2064 words:- or a designee.

2065 SECTION 49. Section 18 of said chapter 91, as so appearing, is hereby amended by
2066 striking out, in lines 55 and 56, the words “newspaper or newspapers having a circulation in the
2067 area affected by said license at the expense of the applicant” and inserting in place thereof the
2068 following words:- manner specified by the department in regulations for the area affected by said
2069 license at the expense of the applicant, which manner shall include, but not be limited to, in local
2070 media where available. Until such regulations are promulgated and become effective, said notice
2071 shall be published at the same time in a newspaper or newspapers having circulation in the area
2072 affected by said license at the expense of the applicant.

2073 SECTION 50. Section 18 of said chapter 91, as so appearing, is hereby further amended
2074 by striking out the tenth paragraph and inserting in place thereof the following paragraph:-

2075 No license shall be granted for private tidelands unless, upon or prior to applying for a
2076 license pursuant to this section, the applicant shall submit to the clerk of the affected cities or
2077 towns where the work is to be performed an application containing the proposed use, the
2078 location, the dimensions and limits and the mode of work to be performed.

2079 SECTION 51. Said Chapter 91 of the General Laws is hereby further amended by
2080 inserting after section 18C the following 2 sections:-

2081 Section 18D. (a) Notwithstanding any general or special law to the contrary, the
2082 department may issue a general license or general permit authorizing dredging, fill and structures
2083 associated with certain activities and projects, as specified by the department, in tidelands, great

2084 ponds, rivers and streams, otherwise subject to individual licensing under sections 12, 12A, 13,
2085 14, 18 and 19 including, but not limited to: (i) marsh restoration and other ecosystem creation or
2086 restoration activities, such as vegetative plantings and streambed alteration that could include
2087 wads, and pedestrian bridge crossings; (ii) nature-based solutions projects and nature-based
2088 research and demonstration projects; (iii) culvert replacements including, but not limited to,
2089 those associated with bridges; (iv) great pond drawdowns; (v) dredging and placement of benthic
2090 barriers for invasive vegetation removal and harvesting; (vi) aquaculture not eligible for a permit
2091 or license under section 10A; (vii) dredging associated with activities not subject to licensing or
2092 permitting; (viii) temporary navigational and access impacts that last less than 1 year and are
2093 associated with activities not subject to licensing or permitting; (ix) pipelines, cables, conduits,
2094 sewers and similar structures installed under flowed tidelands or great ponds that are entirely
2095 embedded in the soil and that are installed by horizontal directional drilling or micro tunneling
2096 methods; (x) placement of cultch; (xi) public coastal resilience infrastructure projects in
2097 previously disturbed and developed areas as defined by the executive office of environmental
2098 affairs; (xii) routine dredging and sand placement for the purposes of improving the
2099 sustainability and resilience of beaches and coastal dunes; and (xiii) any other activities and
2100 projects that the department determines through regulations to be subject to a general license or
2101 general permit.

2102 (b) Projects beyond any established harbor line shall not be eligible for coverage under a
2103 general license or general permit pursuant to this section unless said project is specifically
2104 authorized by law, or, if not so authorized, is limited to dredging activities or a structure or fill
2105 that is entirely embedded in the soil and does not in any part occupy or project into such
2106 tidewater beyond the harbor line; provided however, that the department may, at any time,

2107 require any structure or fill to be removed or relocated if channel changes or alteration demands
2108 the same, as required by section 14; and provided further, that this subsection shall not affect the
2109 eligibility of projects in areas without established harbor lines.

2110 (c) The department may consider the cumulative impacts or benefits of activities in a
2111 geographic area in determining whether a particular project is appropriate for coverage under a
2112 general license or general permit.

2113 (d) The licensee or permittee shall comply with all general license or general permit
2114 standards issued as regulations by the department and any specific conditions prescribed by the
2115 department pursuant to the general license or general permit.

2116 (e) A proponent of a project eligible for coverage under a general license or general
2117 permit under this section shall certify compliance with its terms and conditions to the department
2118 and shall pay all applicable fees required by this chapter before beginning construction. The
2119 department may perform annual audits to monitor compliance with the general license or general
2120 permit requirements of this section.

2121 (f)(1) Upon or prior to applying for coverage under a general license or general permit
2122 pursuant to this section, the project proponent shall: (i) submit to the planning board of a city or
2123 town where the work is to be performed and to the clerk of said city or town a statement of the
2124 proposed use, the location, the dimensions and limits and the mode of work to be performed; (ii)
2125 provide notice to the select board of the town or the mayor of the city and the conservation
2126 commission of the town or city where the work is to be performed; and (iii) provide public notice
2127 in a manner specified by the department by regulation.

2128 (2) The project proponent shall specify by metes, bounds and otherwise the location, the
2129 dimensions and limits and the mode of performing the work and shall submit a plan of the work
2130 or structure in its application to the department for coverage under the general license or general
2131 permit; provided, however, ecological restoration projects permitted under section 40 of chapter
2132 131 that qualify for a general permit may submit the plan approved in the order of conditions.

2133 (3) A department certification of a general license for a project shall be void unless,
2134 within 60 days after certification, the department certification and the accompanying plan are
2135 recorded in the registry of deeds for the county or district in which the work is to be performed.
2136 Work or change in use shall not commence until the certification of the general license is
2137 recorded and the department has received notification of said recordation. Such recording
2138 requirement shall not apply to a certification of a general permit.

2139 (4) The cost of assessments for tidewater displacement and occupation of commonwealth
2140 tidelands shall be paid by the project proponent in connection with its application for coverage to
2141 the department.

2142 (g) Any change in use or structural alteration of a licensed or permitted structure or fill
2143 shall require a new application to the department and, for projects seeking new coverage under a
2144 general license or general permit, compliance with the requirements of subsection (f). Any
2145 unauthorized substantial change in use or unauthorized substantial structural alteration shall
2146 render coverage under the general license or general permit void. Coverage under the general
2147 license or general permit granted by the department pursuant to this chapter shall be revocable by
2148 the department for noncompliance with the conditions set forth therein. The department shall not
2149 revoke coverage under any general license or general permit until it has given written notice of

2150 the alleged noncompliance to the licensee or permittee and to those persons who have filed a
2151 written request for such notice with the department and afforded the licensee or permittee a
2152 reasonable opportunity to correct said noncompliance.

2153 (h) Section 18 and section 20 shall not apply to projects subject to a general license or
2154 general permit; provided, however, that the project proponent shall submit to the department
2155 plans of any proposed work to be performed and a copy of any legislative grant in its application
2156 for coverage to the department.

2157 (i) No license or permit shall be required under this section for dredge or fill, as defined
2158 by the department, as part of work to restore tidelands or salt marshes; provided, however, that
2159 such project is permitted by the department or local issuing authority pursuant to section 40 of
2160 chapter 131; and provided further, that such a project does not impair public access or navigation
2161 and does not involve placement of a structure.

2162 (j) The department shall adopt regulations to implement this section. Such regulations
2163 shall prescribe which activities are eligible for the general license or general permit, as well as
2164 those projects that may allow for fill or structures to acclimatize to natural conditions, so long as
2165 they do not significantly interfere with any rights held by the commonwealth in trust for the
2166 public to use tidelands, great ponds and other waterways for lawful purposes and public rights of
2167 access on private tidelands, great ponds and other waterways for any lawful use.

2168 Section 18E. (a) Notwithstanding any general or special law to the contrary, the
2169 department may issue a general license authorizing priority housing projects, as defined in
2170 section 62 of chapter 30, consistent with commonwealth land use planning and housing strategies

2171 and plans, climate resilient design guidelines and environmental priorities in tidelands otherwise
2172 subject to individual licensing under sections 12, 12A, 13, 14, 18 and 19.

2173 (b) Projects beyond any established harbor line shall not be eligible for coverage under a
2174 general license pursuant to this section unless said project is specifically authorized by law, or, if
2175 not so authorized, is limited to dredging activities or a structure or fill that is entirely embedded
2176 in the soil and does not in any part occupy or project into such tidewater beyond the harbor line;
2177 provided however, that the department may, at any time, require any structure or fill to be
2178 removed or relocated if channel changes or alteration demands the same, as required by section
2179 14; and provided further, that this subsection shall not affect the eligibility of projects in areas
2180 without established harbor lines.

2181 (c) The department may consider the cumulative impacts of activities in a geographic
2182 area in determining whether a particular project is appropriate for coverage under a general
2183 license.

2184 (d) The licensee shall comply with all general license standards issued as regulations by
2185 the department and any specific conditions prescribed by the department pursuant to the general
2186 license.

2187 (e) A proponent of a project eligible for coverage under a general license pursuant to this
2188 section shall certify compliance with its terms and conditions to the department and shall pay all
2189 applicable fees required by this chapter before beginning construction. The department may
2190 perform annual audits to monitor compliance with the general license requirements of this
2191 section.

2192 (f)(1) Upon or prior to applying for coverage under a general license pursuant to this
2193 section, the project proponent shall: (i) submit to the planning board of a city or town where the
2194 work is to be performed and to the clerk of said city or town a statement of the proposed use, the
2195 location, the dimensions and limits and the mode of work to be performed; (ii) provide notice to
2196 the select board of the town or the mayor of the city and the conservation commission of the
2197 town or city where the work is to be performed; and (iii) provide public notice in a manner
2198 specified by the department by regulation.

2199 (2) The project proponent shall specify by metes, bounds and otherwise the location, the
2200 dimensions and limits and the mode of performing the work and shall submit a plan of the work
2201 or structure in its application to the department for coverage under the general license.

2202 (3) A department certification of a general license for a project shall be void unless,
2203 within 60 days after certification, the department certification and the accompanying plan are
2204 recorded in the registry of deeds for the county or district where the work is to be performed.
2205 Work or change in use shall not commence until the certification of the general license is
2206 recorded and the department has received notification of said recordation.

2207 (4) The cost of assessments for tidewater displacement and occupation of commonwealth
2208 tidelands shall be paid by the project proponent in connection its application for coverage to the
2209 department.

2210 (g) Any change in use or structural alteration of a licensed structure or fill shall require a
2211 new application to the department and, for projects seeking new coverage under a general
2212 license, compliance with the requirements of subsection (f). Any unauthorized substantial change
2213 in use or unauthorized substantial structural alteration shall render coverage under the general

2214 license void. Coverage under the general license granted by the department pursuant to this
2215 chapter shall be revocable by the department for noncompliance with the conditions set forth
2216 therein. The department shall not revoke coverage under any general license until it has given
2217 written notice of the alleged noncompliance to the licensee and to those persons who have filed a
2218 written request for such notice with the department and afforded the licensee a reasonable
2219 opportunity to correct said noncompliance.

2220 (h) Sections 18 and 20 shall not apply to projects subject to a general license; provided,
2221 however, that the project proponent shall submit to the department plans of any proposed work to
2222 be performed and a copy of any legislative grant in its application for coverage to the
2223 department.

2224 (i) The department shall adopt regulations to implement this section. Such regulations
2225 shall prescribe which activities are eligible for the general license, as well as those projects that
2226 may allow for fill or structures to acclimatize to natural conditions, so long as they do not
2227 significantly interfere with any rights held by the commonwealth in trust for the public to use
2228 tidelands, great ponds and other waterways for lawful purposes and public rights of access on
2229 private tidelands, great ponds and other waterways for any lawful use.

2230 SECTION 52. Section 31 of said chapter 91, as appearing in the 2024 Official Edition, is
2231 hereby amended by striking out, in line 9, the words “and council” and inserting in place thereof
2232 the following words:- or a designee.

2233 SECTION 53. Section 35 of said chapter 91, as so appearing, is hereby amended by
2234 inserting the following paragraphs:-

2235 Except as otherwise provided in this chapter, the commonwealth shall retain title to any
2236 waters or land below the low water line of a great pond in perpetuity. Persons passing by foot
2237 over areas between high water and low water lines of a great pond shall not be in violation of
2238 section 120 of chapter 266 nor subject to arrest for trespass provided they remain within an area
2239 that a reasonable person would believe to be below the high-water line, which shall include areas
2240 of wet sand and areas below the seaweed line. In areas where natural processes, with or without
2241 human intervention, have caused the landward or lateral movement of a barrier beach into an
2242 area below the historic low water line of any great pond, the portion of the barrier beach
2243 relocated into the former bottom of the great pond shall be and remain in the ownership of the
2244 commonwealth in perpetuity; provided that this paragraph shall not convert ownership of any
2245 portion of private property to public ownership in violation of Article X of Part the First of the
2246 Constitution of the Commonwealth or the Fourteenth Amendment of the United States
2247 Constitution. For the purposes of this paragraph, “barrier beach” shall mean a narrow low-lying
2248 strip of land consisting of coastal beaches and coastal dunes extending roughly parallel to the
2249 trend of the coast that is separated from the mainland by a narrow body of fresh, brackish or
2250 saline water or a marsh system. A barrier beach may be joined to the mainland at one or both
2251 ends.

2252 SECTION 54. Section 33 of chapter 92, as so appearing, is hereby amended by striking
2253 out the fourth paragraph.

2254 SECTION 55. Section 34B of said chapter 92, as so appearing, is hereby amended by
2255 striking out subsections (c) and (d).

2256 SECTION 56. Sections 37 and 38 of said chapter 92, as so appearing, are hereby
2257 repealed.

2258 SECTION 57. Section 42 of said chapter 92, as so appearing, is hereby amended by
2259 striking out the first sentence and inserting in place thereof the following sentence:- The
2260 commission may grant to towns, or to a water or sewer authority or district, locations for
2261 common sewers and drains or water supply infrastructure in and across roadways and any
2262 associated rights of way under its care and control.

2263 SECTION 58. Said section 42 of said chapter 92, as so appearing, is hereby further
2264 amended by inserting, in line 3, after the word “sewer”, the following words:- or water supply
2265 infrastructure of a town.

2266 SECTION 59. Chapter 94 of the General Laws is hereby amended by inserting after
2267 section 329 the following section:-

2268 Section 330. (a) As used in this section, the following words shall have the following
2269 meanings unless the context clearly requires otherwise:

2270 “Covered entity”, a person, corporation, business or other entity that manufactures,
2271 produces or packages a covered product and shall include, but not be limited to, a wholesaler,
2272 supplier or retailer that is responsible for labeling a covered product.

2273 “Covered product”, a premoistened, nonwoven disposable wipe composed in part or
2274 entirely of petrochemical-derived fibers that is reasonably likely to be flushed down a toilet or
2275 otherwise caused to enter a plumbing, septic or sewer system; provided, however, that a
2276 “covered product” shall include, but not be limited to, baby wipes, disinfecting wipes and facial

2277 wipes; provided further, that a “covered product” shall not include wipes composed entirely of
2278 wood pulp fibers and engineered to lose strength and degrade after disposal.

2279 (b) A covered entity shall clearly label a covered product that the entity produces,
2280 manufactures, packages, offers for sale or sells in the commonwealth with the phrase “Do Not
2281 Flush”.

2282 (c) Notwithstanding the limitations set forth in section 16 of chapter 21A, any person
2283 who violates any provision of this section or any rule or regulation promulgated pursuant to this
2284 section, shall be subject to a fine not to exceed \$2,500 per violation. Producing, manufacturing,
2285 packaging, offering for sale or selling 1 or more units of the same covered product in violation of
2286 this section shall constitute a single violation for each day such violation occurs. These penalties
2287 shall be in addition to any other penalties or remedies that may be prescribed by law.

2288 The attorney general and district attorney for the district in which the alleged violated
2289 was committed shall enforce the provisions of this section. The office of consumer affairs and
2290 business regulation may refer violations of this section to appropriate district attorney or the
2291 attorney general for enforcement, including, but not limited to, for actions assessing monetary
2292 penalties and enjoinder. The superior court department of the trial court shall have jurisdiction
2293 to assess civil penalties as set forth in this section and to enjoin violations of, or grant such
2294 additional relief as it deems necessary or appropriate to secure compliance with, the provisions
2295 of this section, or any rule or regulation promulgated pursuant to this section.

2296 (d) The office of consumer affairs and business regulation may promulgate regulations to
2297 implement and enforce this section.

2298 SECTION 60. Section 31 of chapter 111 of the General Laws, as appearing in the 2024
2299 Official Edition, is hereby amended by inserting after the fifth sentence, the following sentence:-
2300 No regulation or amendment of a regulation which exceeds the minimum requirements for
2301 subsurface disposal of sanitary sewage as provided by the state environmental code shall apply to
2302 a priority housing project as defined by the secretary of energy and environmental affairs, in
2303 consultation with the secretary of housing and livable communities.

2304 SECTION 61. Section 150A of chapter 111 of the General Laws, as appearing in the
2305 2024 Official Edition, is hereby amended by inserting after the first sentence in the twenty-first
2306 paragraph the following 3 sentences:-

2307 Personnel or authorized agents of the department may at all reasonable times enter any
2308 premises, public or private, for the purpose of investigating, sampling or inspecting any records,
2309 condition, equipment, practice or property relating to activities subject to this section, and may at
2310 any time enter such premises for the purpose of protecting the public health or safety, or to
2311 prevent damage to the environment. For the purposes of any entry described in the preceding
2312 sentence, no warrant shall be required; provided, however, that upon demand by the owner or
2313 person in control of such premises, a warrant authorizing such entry and inspection shall be
2314 sought after such demand. Any court, judge, or justice authorized to issue warrants in criminal
2315 cases may issue such warrants.

2316 SECTION 62. Sections 13A and 13B of chapter 128 of the General Laws are hereby
2317 repealed.

2318 SECTION 63. Chapter 128 of the General Laws, as appearing in the 2024 Official
2319 Edition, is hereby amended by striking out sections 51 through 63, inclusive, and inserting in
2320 place thereof the following 11 sections:-

2321 Section 51. The following word as used in sections 51 to section 61, inclusive, unless the
2322 context clearly indicates otherwise, shall have the following meanings:

2323 “Commercial feed”, all materials or combination of materials which are distributed or
2324 intended for distribution for use as feed or for mixing in feed, unless such materials are
2325 specifically exempted by the department.

2326 “Customer-formula feed”, commercial feed which consists of a mixture of commercial
2327 feeds, or feed ingredients, each batch of which is manufactured according to the specific
2328 instructions of the final purchaser.

2329 “Distribute”, to offer for sale, sell, exchange, barter, supply, furnish, or otherwise provide
2330 commercial feed.

2331 “Drug”, any article intended for use in the diagnosis, cure, mitigation, treatment, or
2332 prevention of disease in animals other than humans; and articles other than commercial feed
2333 intended to affect the structure or any function of the animal body.

2334 “Feed”, any substance that is intended for use as food for animals other than humans;
2335 provided however, that “feed” shall include commercial feed and feed ingredients.

2336 “Forage”, dry hay, grass, legumes, haylage, baleage, corn and silage.

2337 “Label”, a display of written, printed, or graphic matter upon or affixed to the container
2338 in which a commercial feed is distributed, or on the invoice or delivery slip with which a
2339 commercial feed is distributed.

2340 “Manufacture”, to grind, mix or blend, or further process commercial feed for
2341 distribution.

2342 “Official sample”, a sample of commercial feed taken by the department in accordance
2343 with the provisions of section 60 of this chapter.

2344 “Person”, an individual, partnership, corporation, limited liability company, cooperative,
2345 business trust, business association, or entity.

2346 Section 52. (a) No person shall manufacture or distribute commercial feed in the
2347 commonwealth without first obtaining from the department a registration for such feed.

2348 (b) An application for registration of commercial feed pursuant to subsection (a) shall
2349 include, but shall not be limited to, the following: (i) the name and address of any applicants; (ii)
2350 the name and address of the premises of the applicant’s commercial feed operation; (iii) a written
2351 description of the commercial feed; (iv) a written consent allowing the department to conduct
2352 both scheduled and random inspections including, but not limited to: (A) for-cause inspections in
2353 response to complaints made to the department; and (B) inspections of and around the premises
2354 on which the commercial feed is being manufactured or distributed; (v) a nonrefundable
2355 application fee in an amount that shall be established by the department by regulation; and (vi)
2356 any other information as the department may require by regulation.

2357 (c) Upon approval by the department, a copy of the registration shall be furnished to the
2358 applicant and the applicant shall be required to submit a registration fee in an amount to be
2359 determined by the department by regulation. All registrations shall expire on December 31 of
2360 each year. Failure to submit all required application materials and information as outlined in
2361 subsection (b) shall result in non-issuance of the registration until such time as all application
2362 requirements have been met to the department's satisfaction.

2363 (d) Persons who have registered a commercial feed pursuant to section 53 shall notify the
2364 department of any changes in the guarantee of either chemical or ingredient composition of such
2365 feed not less than 30 days prior to the registrant's intended manufacture or distribution of such
2366 feed in the commonwealth. New registration of the product shall not be required if the
2367 department determines that such change would not result in lowering the feed value of the
2368 product for the purpose for which it was designed.

2369 (e) The department may refuse the registration of any application not in compliance with
2370 sections 51 to 61, inclusive, or regulations issued thereunder, and may cancel any registration
2371 subsequently found to violate any provision thereof; provided, however, that no application shall
2372 be refused and no registration shall be cancelled without first providing the applicant or
2373 registrant the opportunity to amend the application or otherwise obtain an adjudicatory hearing
2374 pursuant to chapter 30A and the regulations promulgated thereunder concerning the refusal of an
2375 application or the cancellation of a registration.

2376 (f) This section and sections 53 to 61, inclusive, shall not apply to a farmer who grows
2377 feed in the commonwealth that consists of forage and who distributes such feed to another
2378 farmer in the commonwealth; provided, however, that such feed (i) does not contain any drug;

2379 (ii) is not manufactured; and (iii) is not customer-formula feed. For purposes of this subsection,
2380 the addition of preservatives when harvesting, cutting, baling, wrapping or fermenting such feed
2381 shall not be considered manufacturing.

2382 Section 53. (a) A commercial feed manufactured or distributed in the commonwealth
2383 shall be labeled with the information required by subsection (b).

2384 (b) Commercial feed, except a customer-formula feed, shall be accompanied by a label
2385 bearing, at a minimum, the following information: (i) the quantity statement;

2386 (ii) the product name and, if any, the brand name under which the commercial feed is
2387 distributed; (iii) the guaranteed analysis stated in terms required by regulation to advise the user
2388 of the composition of the commercial feed or to support claims made in the labeling; (iv) the
2389 ingredient statement in terms required by regulation including, but not limited to, the common or
2390 usual name of each ingredient used in the manufacture of the commercial feed; provided
2391 however, that the department, by regulation, may permit the use of a collective term for a group
2392 of ingredients that perform a similar function; provided further, that the department may exempt
2393 such commercial feeds, or any group thereof, from this requirement of an ingredient statement if
2394 the department finds that such statement is not necessary to protect the interest of consumers; (v)
2395 the name and principal mailing address of the manufacturer or the person responsible for
2396 distributing the commercial feed; (vi) the use directions or precautionary statements as the
2397 department, by regulation, determines are necessary for the safe and effective use of the
2398 commercial feed including, but not limited to, adequate directions for use of all commercial
2399 feeds containing drugs; (vii) the date of manufacture, processing, packaging, or repackaging or a

2400 code that permits the determination of a date of manufacture; and (viii) any other information
2401 required by the department.

2402 (c) A customer-formula feed shall be accompanied by a label, invoice, delivery slip, or
2403 other shipping document, bearing, at a minimum, the following information: (i) the name and
2404 address of the manufacturer; (ii) the name and address of the purchaser; (iii) the date of delivery;
2405 (iv) the product name and the quantity statement of each commercial feed and each other
2406 ingredient used in the mixture; (v) the use directions and precautionary statements as determined
2407 by the department, by regulation, for the safe and effective use of the customer-feed formula
2408 including, but not limited to, requisite directions for use for all customer-formula feeds
2409 containing drugs; (vi) a statement on the label that reads as follows: “This feed was
2410 manufactured according to specific instructions provided by (name of person who provided the
2411 instructions) and cannot be sold to any other person.”; (vii) the date of manufacture, processing,
2412 packaging, or repackaging or a code that permits the determination of a date of manufacture; and
2413 (viii) any other information required by the department.

2414 Section 54. (a) Except as otherwise provided by regulation, a commercial feed
2415 manufactured or distributed in the commonwealth shall be deemed to be misbranded if: (i) the
2416 labeling is false, deceptive, or misleading in any way; (ii) it is sold or distributed under the name
2417 of another commercial feed; (iii) the labeling does not comply with the requirements set forth in
2418 section 53; (iv) it purports to contain or is represented as containing a commercial feed
2419 ingredient or feed ingredient that does not conform to the definition, if any, prescribed by the
2420 department. In the absence of a prescribed definition by the department, the department may rely
2421 upon and apply the commonly accepted definitions issued by the Association of American Feed

2422 Control Officials; or (v) it is otherwise determined by the department to be misbranded pursuant
2423 to sections 51 through 61, inclusive.

2424 Section 55. Except as otherwise provided by regulation, a commercial feed manufactured
2425 or distributed in the commonwealth shall be deemed to be adulterated if: (i) it bears or contains
2426 any poisonous or deleterious substance that may render it harmful to human or animal health;
2427 provided, however, that if the substance is not an added substance, such commercial feed shall
2428 not be considered adulterated under this subsection if the quantity of such substance in such
2429 commercial feed does not ordinarily render it harmful to human or animal health; (ii) it bears or
2430 contains any added poisonous, deleterious or non- nutritive substance that is unsafe within the
2431 meaning of section 406 of the Federal Food, Drug, and Cosmetic Act; (iii) it is, or it bears or
2432 contains any food additive which is unsafe within the meaning of section 409 of the federal
2433 Food, Drug, and Cosmetic Act, 21 U.S.C. section 346; (iv) it is a raw agricultural commodity
2434 and it bears or contains a pesticide chemical which is unsafe within the meaning of section
2435 408(a) of the federal Food, Drug, and Cosmetic Act, 21 U.S.C. section 348(a); (v) it is, or it
2436 bears or contains any color additive which is unsafe within the meaning of section 721 of the
2437 federal Food, Drug, and Cosmetic Act, 21 U.S.C. section 379e; (vi) it is, or it bears or contains
2438 any new animal drug which is unsafe within the meaning of section 512 of the federal Food,
2439 Drug, and Cosmetic Act, 21 U.S.C. section 360b; (vii) it consists in whole or in part of any
2440 filthy, putrid, or decomposed substance, or if it is otherwise unfit for feed; (viii) it has been
2441 prepared, packed, or held under unsanitary conditions whereby it may have become
2442 contaminated with filth, or whereby it may have been rendered harmful to health; (ix) it is, in
2443 whole or in part, the product of a diseased animal or of an animal which has died other than by
2444 slaughter which is unsafe within the meaning of section 402(a)(1) or (2) of the federal Food,

2445 Drug, and Cosmetic Act, 21 U.S.C. section 348(a)(1)-(2); (x) its composition or quality falls
2446 below or differs from that which it is purported or is represented to possess by its labeling; (xi) it
2447 contains a drug and the methods used in or the facilities or controls used for its manufacture,
2448 processing, or packaging do not conform to the standards promulgated by the department
2449 concerning good manufacturing practice to assure that the drug meets the requirements of
2450 sections 51 to 61, inclusive, as to safety and has the identity, strength and meets the quality and
2451 purity characteristics that it purports or is represented to possess; (xii) it is manufactured or
2452 distributed or used as commercial feed in a manner that does not conform with, or contains any
2453 substance that is prohibited by the department under sections 51 through 61, inclusive; or (xiii) it
2454 is otherwise determined by the department to be adulterated pursuant to sections 51 through 61,
2455 inclusive.

2456 Section 56. It shall be unlawful to perform or cause others to perform the following acts
2457 in the commonwealth: (i) adulterate or misbrand any commercial feed; (ii) manufacture or
2458 distribute any commercial feed that is adulterated or misbranded; (iii) use any feed that is
2459 adulterated for any cattle, sheep, goats, swine, poultry, or any other animals if such animals are
2460 raised to produce human food; (iv) remove or dispose of a commercial feed in violation of
2461 section 60 or associated regulations; (v) fail or refuse to register in accordance with section 52 or
2462 the regulations that may be promulgated thereunder by the department; (vi) fail to maintain any
2463 records required by sections 51 to 61, inclusive, or regulations promulgated thereunder; (vii)
2464 impede, obstruct or hinder any department employee or agent in the discharge of the authority or
2465 duties conferred or imposed by sections 51 to 61, inclusive, or regulations promulgated
2466 thereunder; (viii) sell, offer, or expose for sale any commercial feed or mixture thereof by any
2467 person in violation of any regulation promulgated under sections 51 to 61, inclusive; (ix) fail to

2468 comply with any other provision of sections 51 to 61, inclusive, or regulations promulgated
2469 thereunder and not otherwise specified in this section; or (x) perform such other acts as may be
2470 determined by the department by regulation to violate sections 51 to 61, inclusive.

2471 Section 57. (a) The department is authorized to promulgate such regulations for
2472 commercial feeds as are specifically authorized in sections 51 to 61, inclusive.

2473 (b) The promulgation of regulations pursuant to sections 51 to 61, inclusive, shall
2474 conform to the applicable provisions of chapter 30A and associated regulations promulgated
2475 thereunder.

2476 (c) The department may cooperate and enter into agreements with governmental agencies
2477 of the commonwealth, other states and the federal government to effectuate the purpose and
2478 provisions of sections 51 to 61, inclusive.

2479 (d) The department may, by regulation, adopt and enforce federal standards concerning
2480 commercial feed as it deems necessary to effectuate the purpose and provisions of sections 51 to
2481 61, inclusive.

2482 Section 58. (a) For the purposes of enforcement of sections 51 to 61, inclusive, and any
2483 regulations promulgated thereunder, and in order to determine whether said sections 51 to 61,
2484 inclusive, have been complied with, including, but not limited to, whether any operations may be
2485 subject to said sections 51 to 61, inclusive, officers or employees duly designated by the
2486 department, upon presenting appropriate credentials, are authorized to: (i) enter, during normal
2487 business hours, any building, structure, land, vehicle or other premises, public or private, within
2488 the commonwealth, in or on which commercial feeds are manufactured, processed, packed,
2489 distributed, transported, stored, disposed of, used or held for distribution, or to enter any vehicle

2490 being used to transport or hold such feeds; and (ii) inspect at reasonable times, within reasonable
2491 limits and in a reasonable manner, including, but not limited to, scheduled visits, random visits
2492 or for-cause visits made in response to a complaint of an alleged violation received by the
2493 department, such premises, property or vehicle and all pertinent equipment, finished and
2494 unfinished materials, containers and labeling therein; provided, that an inspection may include,
2495 but shall not be limited to, obtaining samples and verifying records and production and control
2496 procedures related to the manufacture, distribution, storage, handling, use or disposal of
2497 commercial feed as may be necessary to determine compliance with sections 51 to 61, inclusive.

2498 (b) The department may promulgate regulations to effectuate this section, including, but
2499 not limited to, regulations that define notice requirements prior to inspection, official sampling
2500 and analysis procedures, recordkeeping requirements and any other requirements as may be
2501 determined by the department as necessary.

2502 (c) If the owner or owner's agent of any building, structure, land, vehicle or other
2503 premises or property described in subsection (a) refuses to admit the department to enter or
2504 inspect such building, structure, land, vehicle or other premises or property in accordance with
2505 subsection (a), the department may obtain from the court in the district or county in which such
2506 building, structure, land, vehicle or other premises or property is located an administrative
2507 warrant to enter and inspect such building, structure, land, vehicle or other premises or property
2508 and to obtain samples of such feeds, feed ingredients or raw agricultural commodities according
2509 to section 58, prior to entry, inspection and sampling. The district and superior courts may issue
2510 such warrants upon a proper showing of the need for such entry, inspection and sampling.

2511 Section 59. (a) The department may obtain official samples of all commercial feeds
2512 manufactured or distributed in the commonwealth during inspections authorized by section 58
2513 and any regulations promulgated thereunder by the department and may be analyzed by the
2514 department to determine compliance with sections 51 to 61, inclusive, and regulations
2515 promulgated thereunder.

2516 (b) The department shall forward the results of all analyses of official samples to the
2517 person named on the label and to the purchaser. When the inspection and analysis of an official
2518 sample indicates a commercial feed has been adulterated or misbranded, and upon request within
2519 a time period following the receipt of the analysis to be established by the department by
2520 regulation, the department may furnish to the manufacturer a portion of the sample concerned.
2521 The department shall, in determining whether a commercial feed is deficient in any component,
2522 be guided by the official sample as defined in section 51 and obtained and analyzed in
2523 accordance with this section.

2524 Section 60. (a) The department shall have authority to enforce sections 51 to 61,
2525 inclusive.

2526 (b) The department may take all reasonable actions to ensure that no commercial feed
2527 violating sections 51 to 61, inclusive, and regulations promulgated thereunder, enters commerce
2528 in the commonwealth, including, but not limited to, orders for stop sale, quarantine, detainment,
2529 withdrawal from distribution, condemnation, confiscation, destruction or any other actions as
2530 may be determined by the department by regulation to be necessary to effectuate this section.

2531 (c) Notwithstanding sections 51 to 61, inclusive, whoever violates said sections 51 to 61,
2532 inclusive, or hinder the carrying out of any part thereof or, after receipt of a written request from

2533 the department, unreasonably refuses or neglects to comply with any order or regulation lawfully
2534 made under this section, may be subject to a civil administrative penalty issued by the
2535 department. The notice of assessment of civil administrative penalty shall include, but not be
2536 limited to, the amount of the penalty, the date the penalty shall be due, a statement of the alleged
2537 violator's right to an adjudicatory hearing pursuant to this section and chapter 30A regarding the
2538 assessment and the manner of acceptable payment if an election to waive a hearing is made. A
2539 person shall be deemed to have waived all rights to an adjudicatory hearing unless, within 21
2540 days of the date of the department's notice, the person files a written notice, by hand or certified
2541 mail, return receipt requested, requesting such adjudicatory hearing. In the event that such
2542 request is not received in accordance with this section, the proposed civil administrative penalty
2543 shall become final and payment shall be due in accordance with the notice.

2544 (d) Without alleging or proving the lack of other adequate remedies at law, and
2545 notwithstanding the existence of any other remedies at law, the attorney general may apply for a
2546 temporary or permanent injunction to restrain any violation of sections 51 to 61, inclusive, or
2547 regulations promulgated thereunder.

2548 (e) The remedies provided in this section are available in addition to, and without
2549 limiting, any other penalties provided by law or equity, in this chapter or elsewhere. The district
2550 and superior courts shall have concurrent jurisdiction to enforce this chapter and restrain
2551 violations thereof. Enforcement actions brought under this section and appeals thereof shall
2552 conform to the applicable provisions of chapter 30A and informal hearing regulations
2553 promulgated thereunder.

2554 Section 61. The department shall publish, at least annually, in such forms as the
2555 department may deem proper, information concerning the sales of commercial feeds together
2556 with such data on their production, composition and use as the department may consider
2557 advisable and a report of the results of the analyses of official samples of commercial feeds sold
2558 within the commonwealth as compared with the analyses guaranteed in the registration and on
2559 the label; provided, that any information concerning production and use of commercial feed shall
2560 not disclose the operations of any person or entity.

2561 SECTION 64. Said chapter 128 of the General Laws is hereby further amended by
2562 adding the following section:-

2563 Section 125. The supreme judicial court or any justice thereof, and the superior court or
2564 any justice thereof, shall have jurisdiction in equity to enforce this chapter and regulations
2565 promulgated thereunder. Proceedings to enforce the same may be instituted and prosecuted by
2566 the attorney general.

2567 The remedies provided under this chapter shall be available in addition to, and without
2568 limiting, any other penalties provided by law or equity, in this chapter or elsewhere.

2569 The commissioner may promulgate regulations to implement this section. In addition to
2570 any authority provided in this chapter, the commissioner may issue orders necessary to enforce
2571 this chapter and to restrain violations thereof. Such orders shall be effective pending resolution
2572 of any appeal, unless otherwise ordered by a court of competent jurisdiction.

2573 SECTION 65. Chapter 131 of the General Laws is hereby amended by inserting after
2574 section 6 the following section:-

2575 Section 6A. (a) The director of fisheries and wildlife shall consider land under the care
2576 and control of the division for potential designation and long-term passive management as a
2577 forest reserve and shall recommend designation of land as a forest reserve where such
2578 designation will: (i) contribute to carbon sequestration and storage as part of the
2579 commonwealth’s climate mitigation strategy; (ii) provide an opportunity for unique older forest
2580 habitats to mature and develop over time without intended intervention in ecological processes as
2581 part of a holistic, statewide, biodiversity conservation strategy; (iii) enhance climate resilience
2582 through the maintenance of connected natural landscape blocks and species movement corridors
2583 that provide a variety of important ecosystem processes, functions and services; (iv) provide
2584 unique opportunities for compatible passive outdoor recreation and other public enjoyment to
2585 serve a diverse public with wide-ranging recreational values; and (v) facilitate ecological
2586 research, comparative studies of forest dynamics and long-term monitoring to evaluate reserves
2587 as compared to other land management approaches.

2588 (b) The director may, with approval of a majority of the fisheries and wildlife board
2589 present at a duly called meeting of the board, designate land under the care and control of the
2590 division as a forest reserve. Forest reserves shall be managed consistent with such designation
2591 unless the director, with the approval of not less than 2/3 of the fisheries and wildlife board
2592 present at a duly called meeting of the board and the approval of the secretary of energy and
2593 environmental affairs, rescinds the designation.

2594 (c) Designation of land as a forest reserve, or the rescission thereof, shall constitute an
2595 administrative designation and shall not change the entity with care, custody and control of the
2596 land, constitute a change in the use of the land, otherwise dispose of land or an interest in land or

2597 otherwise change the existing status of the land as a wildlife management area or other land
2598 management unit.

2599 (d) The department shall passively manage forest reserves to allow natural processes to
2600 determine changes in the structure and composition of the forest ecosystem to the greatest degree
2601 possible. Forest reserves shall not be managed for production of timber or forest products or
2602 intentionally manipulated, and active management shall be avoided, even when disturbances
2603 occur, to the extent feasible. After consultation with a forest reserve science and technical
2604 advisory committee, which shall be administered by the secretary of energy and environmental
2605 affairs, the division may undertake active management or assisted restoration actions to: (i)
2606 sustain ecosystem function, vital ecosystem services and habitat values; (ii) control problematic
2607 pests, pathogens and invasive species; (iii) restore water and wetland resources; (iv) protect
2608 public safety; or (v) address other unforeseen circumstances. The division may undertake such
2609 other management actions as may be required by law.

2610 Compatible passive recreational activities, regulated hunting and trapping, conversion or
2611 removal of plantations, maintenance or repair of existing forest roads, trails and administrative
2612 access points, preservation of historic and cultural resources, removal of immediate threats to
2613 public safety, selective understory invasive plant control and monitoring and research activities
2614 shall be permitted within forest reserves.

2615 SECTION 66. The first paragraph of section 40 of said chapter 131, as so appearing, is
2616 hereby amended by striking out the second, third, fourth and fifth sentences and inserting in
2617 place thereof the following 4 sentences:- Said notice shall be filed by delivery in hand to the
2618 conservation commission or its authorized representative or by certified mail, return receipt

2619 requested, to said commission, or, if none, to the select board in a town or the mayor of a city in
2620 which the proposed activity is to be located, or by electronic delivery to the conservation
2621 commission, or, if none, to the select board or mayor, as specified in regulations promulgated by
2622 the department of environmental protection. Upon such filing, the receipt of such notice shall be
2623 acknowledged in writing and shall include the time and date so received. A person delivering
2624 said notice by hand shall be given a receipt in writing acknowledging the time and date of such
2625 filing. Copies of such notice shall be sent concurrently by electronic delivery to the department
2626 of environmental protection.

2627 SECTION 67. Said section 40 of said chapter 131, as so appearing, is hereby further
2628 amended by striking out, in line 74, the figure “1,000” and inserting in place thereof the
2629 following figure:- 100.

2630 SECTION 68. Said section 40 of said chapter 131, as so appearing, is hereby further
2631 amended by striking out the third paragraph and inserting in place thereof the following 2
2632 paragraphs:-

2633 Within 21 days of the receipt by a conservation commission of a written request made by
2634 a person by a method of delivery as specified in regulations promulgated by the department, the
2635 commission shall make a written determination as to whether this section is applicable to any
2636 land or work thereon; provided, however, that for a priority housing project as defined by the
2637 secretary of energy and environmental affairs in consultation with the secretary of housing and
2638 livable communities, this section shall be applicable to any land or work thereon only if the
2639 conditions contained herein are met, notwithstanding any local rule, regulation, ordinance or by-
2640 law which would otherwise render the priority housing project subject to this section. When the

2641 person making the written request is not the owner of the land, notice of any such determination
2642 shall also be sent to the owner. As specified by the department in regulations, certain activities
2643 may be approved by determinations with conditions, and without the filing of a notice of
2644 intention, if the conditions ensure that the activities will have negligible or minor wetlands
2645 impacts or beneficial restoration effects. Temporary impacts may also be approved with a
2646 determination with conditions; provided, however, that the wetlands are fully restored as
2647 specified by the department in regulations. Violation of a condition of a determination of
2648 applicability shall be a violation of this section.

2649 The department may designate by regulation types of proposed work that have
2650 insignificant wetlands impacts and may be approved by the conservation agent or conservation
2651 commission chair or by the department in writing, without a notice of intention or determination
2652 and without a public hearing. Such approval may include, but shall not be limited to, any
2653 conditions necessary to further the interests of this section. A copy of the approval shall be sent
2654 to the department at the same time it is sent to the applicant, and the department shall have 7
2655 days from receipt to revoke the approval.

2656 SECTION 69. Said section 40 of said chapter 131, as so appearing, is hereby further
2657 amended by striking out the seventeenth, eighteenth and nineteenth paragraphs and inserting in
2658 place thereof the following 3 paragraphs:-

2659 The conservation commission, select board or mayor receiving notice under this section
2660 shall hold a public hearing on the proposed activity within 21 days of the receipt of said notice.
2661 Notice of the time and place of said hearing shall be given by the hearing authority at the
2662 expense of the applicant not less than 5 days prior to such hearing, or another period of time

2663 specified in department regulations, by publication in a newspaper of general circulation in the
2664 city or town where the activity is proposed or notice on the city or town website or other means,
2665 as specified in regulations promulgated by the department, and by mailing a notice to the
2666 applicant and the board of health and the planning board of said city or town. The conservation
2667 commission and its agents, officers and employees and the commissioner of environmental
2668 protection and their agents and employees may enter upon privately owned land for the purpose
2669 of performing their duties under this section. No conditions shall be imposed, nor shall any
2670 determination be rendered by a conservation commission, in reference to this section, unless the
2671 conservation commission meets with a quorum present. The department may provide by
2672 regulation that certain activities that require a notice of intention may not require a public
2673 hearing but shall require public notice.

2674 If, after said hearing, or after deliberation by the conservation commission, select board
2675 or mayor on the notice of intent where no hearing is required, the conservation commission,
2676 select board or mayor may, as the case may be, determine that the area on which the proposed
2677 work is to be done is significant to public or private water supply, the groundwater supply, flood
2678 control, storm damage prevention, pollution prevention, the protection of land containing
2679 shellfish, to the protection of wildlife habitat, to the protection of fisheries, to resilience for
2680 changing climate conditions or to the protection of the riverfront area consistent with the
2681 following purposes: protecting the private or public water supply; protecting the groundwater
2682 supply, providing flood control, preventing storm damage, preventing pollution, protecting land
2683 containing shellfish, protecting wildlife habitat, protecting fisheries or supporting resilience for
2684 changing climate conditions, the conservation commission, select board or mayor shall, by
2685 written order within 21 days of such hearing, or within 21 days from publication of the notice if

2686 no hearing is required, impose such conditions as will contribute to the protection of the interests
2687 described herein, and all work shall be done in accordance therewith; provided, however, that for
2688 a priority housing project as defined by the secretary of energy and environmental affairs in
2689 consultation with the secretary of housing and livable communities, such conservation
2690 commission, select board or mayor shall not impose such conditions based solely on any local
2691 rule, regulation, ordinance or by-law identified as more restrictive than this section pursuant to
2692 section 8C of chapter 40, unless such condition also adheres to the provisions of this. If the
2693 conservation commission, select board or mayor, as the case may be, make a determination that
2694 the proposed activity does not require the imposition of such conditions, the applicant shall be
2695 notified of such determination within 21 days after said hearing, or within 21 days from
2696 publication of the notice if no hearing is required. Such order or notification shall be signed by
2697 the mayor or a majority of the conservation commission or select board, as the case may be, and
2698 a copy thereof shall be sent forthwith to the applicant and the department. The department may
2699 designate, by regulation, types of proposed work, including, but not limited to, certain nature-
2700 based solutions projects, nature-based research and demonstration projects, ecological
2701 restoration, wetlands resilience projects, for public coastal resilience infrastructure in previously
2702 disturbed or developed areas as defined by the executive office of environmental affairs or
2703 priority housing projects, as defined in section 62 of chapter 30, consistent with commonwealth
2704 land use planning and housing strategies and plans, climate resilient design guidelines and
2705 environmental priorities that may be approved with a general order of conditions; provided, that
2706 the proposed project does not result in impacts to areas subject to jurisdiction that are greater
2707 than those specified by the department in regulations. For linear shaped projects where work is
2708 proposed in not less than 3 adjacent municipalities, the applicant shall submit a notice of intent,

2709 request for determination or other request specified by the department, in regulations, directly to
2710 the department for review and decision. Prior to issuing a decision, the department shall provide
2711 the conservation commissions in these municipalities with an opportunity to comment on the
2712 notice or request.

2713 If a conservation commission has failed to hold a hearing within the 21 day period as
2714 required, if a commission, after holding such a hearing has failed within 21 days therefrom to
2715 issue an order, if no hearing is required and a commission has failed within the 21-day period to
2716 issue an order, if a commission, upon a written request by any person to determine whether this
2717 section is applicable to any work, fails within 21 days to make said determination or where the
2718 conservation commission does issue an order, the applicant, any person aggrieved by said
2719 commission's order or failure to act, any owner of land abutting the land upon which the
2720 proposed work is to be done or any 10 residents of the city or town in which said land is located
2721 may, by certified mail or electronic filing, as specified in regulations, and within 10 days from
2722 said commission's order or failure to act, request the department of environmental protection to
2723 determine whether the area on which the proposed work is to be done is significant to public or
2724 private water supply, the groundwater supply, flood control, storm damage prevention, pollution
2725 prevention, the protection of land containing shellfish, the protection of wildlife habitat, the
2726 protection of fisheries, resilience for changing climate conditions, or the protection of the
2727 riverfront area consistent with the following purposes: protecting the private or public water
2728 supply, protecting the groundwater supply, providing flood control, preventing storm damage,
2729 preventing pollution, protecting land containing shellfish, protecting wildlife habitat, protecting
2730 fisheries and supporting resilience for changing climate conditions. The commissioner of
2731 environmental protection or a designee also may request such a determination within said 10-day

2732 period. The party making any such request shall at the same time send a copy thereof by certified
2733 mail to the conservation commission, select board or mayor, which conducted the hearing
2734 hereunder. If such party is not the applicant, a copy of such request shall also be sent at the same
2735 time by certified mail to the applicant. Upon receipt of such request, the department shall make
2736 the determination requested and shall, by written order issued within 70 days of receipt of such
2737 request and signed by the commissioner or their designee, impose such conditions as will
2738 contribute to the protection of the interests described herein; provided, however, that said
2739 department shall notify the applicant within 30 days of the receipt of such request if the
2740 application or request is not in proper form or is lacking information or documentation necessary
2741 to make the determination. Such order shall supersede the prior order of the conservation
2742 commission, select board or mayor, and all work shall be done in accordance therewith, but in no
2743 event shall any work commence until 10 days have elapsed following the issuance of said order.
2744 In the case of riverfront areas, no order issued by a conservation commission, select board,
2745 mayor or the department shall permit any work unless the applicant has, in addition to meeting
2746 the otherwise applicable requirements of this section, proved by a preponderance of the evidence
2747 that: (i) such work, including proposed mitigation measures, has no significant adverse impact on
2748 the riverfront area for protecting the private or public water supply, protecting the groundwater
2749 supply, providing flood control, preventing storm damage, preventing pollution, protecting land
2750 containing shellfish, protecting wildlife habitat, protecting fisheries or supporting resilience for
2751 changing climate conditions; and (ii) there is no practicable and substantially equivalent
2752 economic alternative to the proposed project with less adverse effects on such purposes. An
2753 alternative is practicable and substantially economically equivalent if it is available and capable
2754 of being done after taking into consideration (i) costs, and whether such costs are reasonable or

2755 prohibitive to the owner; (ii) existing technology; (iii) the proposed use; and (iv) logistics in light
2756 of overall project purposes. For activities associated with access for 1 dwelling unit, the area
2757 under consideration for practicable alternatives will be limited to the lot; provided, that said lot
2758 shall be on file with the registry of deeds as of August 1, 1996. For other activities, including, but
2759 not limited to, the creation of a real estate subdivision, the area under consideration shall be the
2760 subdivided lots, any parcel out of which the lots were created and any other parcels that are
2761 adjacent to such parcel or adjacent through other parcels formerly or presently owned by the
2762 same owner at any time on or after August 1, 1996 or any land which can reasonably be
2763 obtained; provided, that an ownership interest can reasonably be obtained after taking into
2764 consideration (i) cost, and whether such cost is reasonable or prohibitive to the owner; (ii)
2765 existing technology; (iii) the proposed use; and (iv) logistics in light of overall project purposes.
2766 At any time prior to a final order of determination by the department, any party requesting a
2767 determination may, in writing, withdraw the request, and such withdrawal shall be effective upon
2768 receipt of the withdrawal request by the department. Notwithstanding the withdrawal, the
2769 commissioner or their designee may continue the determination if they notify all parties within
2770 10 days of receipt of the withdrawal. A copy of such order shall be sent to the applicant, to the
2771 conservation commission, select board or mayor which conducted the hearing hereunder. As
2772 used in this section, the term “wildlife habitat” shall mean those areas subject to this section,
2773 which, due to their plant community composition and structure, hydrologic regime or other
2774 characteristics provide important food, shelter, migratory or overwintering areas or breeding
2775 areas for wildlife. The department may provide, by regulation, that superseding orders of
2776 conditions and superseding determinations of applicability for certain types of proposed work,
2777 including, but not limited to, certain nature-based solutions projects, ecological restoration, or

2778 wetlands resilience projects, or for work in the buffer zone as defined by the department by
2779 regulation or for certain priority housing projects, as defined in section 62 of chapter 30,
2780 consistent with commonwealth land use planning and housing strategies and plans, climate
2781 resilient design guidelines and environmental priorities, may not be the subject of a request for
2782 an adjudicatory hearing in accordance with chapter 30A, and that any person aggrieved such a
2783 superseding order of conditions or superseding determination of applicability may obtain judicial
2784 review by filing an application for review in the superior court within 21 days after receipt a
2785 superseding order of conditions or superseding determination of applicability from the
2786 department.

2787 SECTION 70. Section 34 of chapter 132 of the General Laws is hereby repealed.

2788 SECTION 71. Section 7 of chapter 132A of the General Laws is hereby repealed.

2789 SECTION 72. Section 7A of said chapter 132A, as so appearing, is hereby amended by
2790 striking out, in lines 1 and 2, the words “environmental management, division of forest and
2791 parks,” and inserting in place thereof the following words:- conservation and recreation.

2792 SECTION 73. Said section 7A of said chapter 132A, as so appearing, is hereby further
2793 amended by striking out the second, third, fourth and fifth paragraphs and inserting in place
2794 thereof the following paragraph:- The chief park ranger and park rangers appointed and
2795 employed by the department of conservation and recreation may assist the bureau of fire control
2796 in both suppression and detection of fires.

2797 SECTION 74. Section 2 of chapter 132B of the General Laws, as appearing in the 2024
2798 Official Edition, is hereby amended by inserting after the definition of “Animal” the following
2799 definition:-

2800 “Anticoagulant rodenticide”, any pesticide product that has a mode of action that
2801 interferes with blood clotting including, but not limited to, any pesticide product containing any
2802 of the following active ingredients: brodifacoum, bromadiolone, chlorophacinone, difenacoum,
2803 difethialone, diphacinonon or warfarin.

2804 SECTION 75. Said chapter 132B is hereby further amended by inserting after section 5A
2805 the following section:-

2806 Section 5B. The department, with the approval of the board, shall by regulation establish
2807 a process and standards for cities and towns for the limited use of anticoagulant rodenticides by
2808 licensed applicators in public health emergencies including, but not limited to, provisions for the
2809 emergency use of anticoagulant rodenticides to protect drinking water supply, to control vectors
2810 for mosquito-borne illness and for emergent infectious disease control. The regulations shall
2811 allow for 1-time, indoor use in a single location to address a public health emergency as
2812 determined by the commissioner of public health in the commissioner’s sole discretion. The
2813 allowable 1-time emergency use shall: (i) be limited to span not more than 14 consecutive days;
2814 (ii) be accompanied by integrated pest management actions that include nonchemical methods
2815 and exclusionary measures to control rodents; (iii) require additional labeling of anticoagulant
2816 rodenticides used including, but not limited to, the name of the rodenticide clearly labeled on any
2817 bait box; (iv) require written rationale for the need for anticoagulant rodenticides over other
2818 nontoxic short-term alternatives; and (v) require applicators to report to the department after the
2819 14-day emergency use period and include a plan for ongoing rodent control at the location.

2820 A city or town that accepts this section, consistent with section 4 of chapter 4, may
2821 regulate the use of anticoagulant rodenticides by a licensed applicator by implementing the

2822 department's regulations for the limited use of anticoagulant rodenticides by licensed applicators
2823 in public health emergencies.

2824 The department shall report annually and include on its website information regarding the
2825 emergency use of anticoagulant rodenticides including, but not limited to, locations where the
2826 anticoagulant rodenticide was used, the types and amounts used, the contents of ongoing rodent
2827 control plans and relevant accompanying documents.

2828 SECTION 76. Section 93 of chapter 143 of the General Laws, as so appearing, is hereby
2829 amended by striking out, in line 6, the figure "15" and inserting in place thereof the following
2830 figure:- 17.

2831 SECTION 77. Said section 93 of said chapter 143, as so appearing, is hereby further
2832 amended by striking out, in line 10, the figure "12" and inserting in place thereof the following
2833 figure:- 14.

2834 SECTION 78. Said section 93 of said chapter 143, as so appearing, is hereby further
2835 amended by striking out, in line 21, the words "advanced building technology" and inserting in
2836 place thereof the following words:- climate risk, 1 of whom shall be an expert in climate resilient
2837 design, 1 of whom shall be an expert in the development of housing.

2838 SECTION 79. Section 95 of said chapter 143, as so appearing, is hereby amended by
2839 adding the following subsection:-

2840 (d) Ensure building regulations and requirements address climate impacts for the
2841 purposes of reducing exposure and damages to structures and protecting the health, safety and
2842 security of the occupants or users of buildings.

2843 SECTION 80. Paragraph (2) of subsection (d) of section 168 of chapter 175 of the
2844 General Laws, as so appearing, is hereby amended by inserting after the word “commonwealth”,
2845 in line 146, the following words:- ; provided, however, that annually, not later than December 1,
2846 at the discretion of the secretary of administration and finance, the comptroller shall transfer to
2847 the Resilience Revolving Fund established by section 2000000 of chapter 29, an amount not
2848 more than the difference between the amount of such fees collected in the prior fiscal year and
2849 the amount of such fees collected in fiscal year 2027.

2850 SECTION 81. Chapter 183 of the General Laws is hereby amended by adding the
2851 following section:-

2852 Section 70. (a) For the purposes of this section, the term “residential real property” shall,
2853 unless the context clearly requires otherwise, mean real property improved by a 1 to 4, inclusive.
2854 family dwelling used or occupied, or intended to be used or occupied, wholly or partly, as the
2855 home or residence of at least 1 person, condominium units or cooperative apartments; provided,
2856 however, that any such real property shall not include unimproved real property upon which such
2857 dwellings are to be constructed.

2858 (b) The secretary of energy and environmental affairs shall, in consultation with the
2859 secretary of housing and livable communities, issue standard notification forms and such other
2860 materials as necessary to inform prospective purchasers and tenants about the flood risks of
2861 residential real property. Such forms and materials may include, but are not limited to: (i)
2862 information on whether the residential real property is located in a floodplain; (ii) documentation
2863 of historical flooding and past damages on the property, such as claims filed and grants or

2864 disaster assistance received for flood damage or flood mitigation; and (iii) details about any flood
2865 insurance or elevation certificates for the property.

2866 (c) A person selling residential real property shall, prior to the signing of a purchase and
2867 sale agreement, provide to the prospective purchaser a completed copy of the applicable
2868 notification form and other materials prepared pursuant to subsection (b). Any person leasing
2869 residential real property with an option to purchase such property shall, prior to the signing of the
2870 lease with an option to purchase, provide to the lessee-prospective purchaser a completed copy
2871 of the applicable notification form and other materials prepared pursuant to said subsection (b).

2872 (d)(1) All persons leasing or renting residential real property shall, prior to entering into
2873 an agreement to lease or rent such property, notify prospective tenants about the hazards of flood
2874 risk as provided herein.

2875 (2) A residential lease shall contain the following notice to tenants: “Flood insurance is
2876 generally available to renters through the Federal Emergency Management Agency’s (FEMA’s)
2877 National Flood Insurance Program (NFIP) to cover your personal property and contents in the
2878 event of a flood. A standard renter’s insurance policy does not typically cover flood damage.
2879 You are encouraged to examine your policy to determine whether you are covered.”

2880 (3) Prior to entering into a tenancy agreement, the owner of residential real property or
2881 such other person to whom rent is to be regularly paid, shall provide a prospective tenant with:
2882 (i) a completed copy of the applicable form and materials prepared pursuant to subsection (b);
2883 and (ii) 2 copies of a statement certifying that the prospective tenant received the materials
2884 required under this section, a copy of which is to be retained by both the tenant and the owner;
2885 provided, that such certification may be included as a provision in a written tenancy agreement.

2886 (e) An owner who fails to comply with the provisions of this section, including, but not
2887 limited to, providing knowingly false or incomplete disclosures, shall be liable for damages
2888 caused by the failure to comply. A violation of this section by a person engaged in trade or
2889 commerce shall be an unfair or deceptive act or practice as defined in section 2 of chapter 93A.

2890 SECTION 82. Section 32 of chapter 184 of the General Laws, as so appearing, is hereby
2891 amended by striking out, in lines 23 and 24, 33 and 34 and 80, the words “metropolitan district
2892 commission”, each time they appear, and inserting in place thereof, in each instance, the
2893 following words:- department of conservation and recreation.

2894 SECTION 83. Said section 32 of said chapter 184, as so appearing, is hereby further
2895 amended by adding the following paragraph:-

2896 The secretary of environmental affairs, commissioner of conservation and recreation,
2897 commissioner of food and agriculture and the secretary of housing and livable communities may,
2898 at such times as they are not available to certify approval, authorize in writing a designee to
2899 approve restrictions on their behalf, and a restriction approved and certified by such designee
2900 shall have the benefit of this section.

2901 SECTION 84. Subsection (b) of section 3 of chapter 372 of the acts of 1984 is hereby
2902 amended by striking out the words “eleven members. One member of the board of directors shall
2903 be the secretary of the executive office of environmental affairs, serving ex officio” and inserting
2904 in place thereof the following words:- “: the secretary of energy and environmental affairs, who
2905 shall serve ex officio, 1 member who is a resident of a Quabbin Reservoir watershed community
2906 as defined by the department of conservation and recreation who represents land and water
2907 resources protection and host community interests who shall be appointed by the governor.

2908 SECTION 85. Section 7 of chapter 330 of the acts of 1983 is hereby repealed.

2909 SECTION 86. The fourth paragraph of section 44 of chapter 85 of the acts of 1994 is
2910 hereby amended by inserting after the word “Boston”, as appearing in section 69 of chapter 209
2911 of the acts of 2018, the following words:- , Herter Center at 1175 Soldier’s Field road in Herter
2912 park within the Charles River Reservation in the city of Boston, transfer station at 1674-1680
2913 Blue Hill avenue in the Neponset River State Reservation in the city of Boston, Morton-
2914 Spaulding House at Mill street in Moore state park in the town of Paxton, the gatehouse on
2915 Highland street in Bradley Palmer state park in the town of Hamilton, Farnham Log Cabin at 437
2916 North road in Great Brook Farm state park in the town of Carlisle, North Farm House at 107 Old
2917 North road in Great Brook Farm state park in the town of Carlisle, Sugar House Krug Sugarbush
2918 at 236 South Street in the town of Chesterfield.

2919 SECTION 87. The first paragraph of section 177 of chapter 25 of the acts of 2009 is
2920 hereby amended by inserting after the word “Boston”, the fourth time it appears, the following
2921 words:- , Charles River Dam road in the cities of Boston and Cambridge, a segment of state
2922 highway route 16 and Revere Beach parkway, including Wellington circle, from its intersection
2923 with Interstate 93 and state highway route 38 in the city of Medford to its intersection with state
2924 highway route 145 and state highway route 1A in the city of Revere, the Fellsway from
2925 Wellington circle to its intersection with Interstate 93 in the cities of Medford and Somerville,
2926 Mystic avenue in the city of Somerville, Medford Veteran’s memorial highway in the cities of
2927 Medford and Somerville and the Lynnway in the city of Lynn.

2928 SECTION 88. Item 6720-1350 of section 2A of chapter 286 of the acts of 2014 is hereby
2929 amended by inserting after the word “Bedford”, in line 22, the following words:- ; provided
2930 further, that such funds shall be available through June 30, 2032.

2931 SECTION 89. Item 2000-0103 of section 2A of chapter 102 of the acts of 2021 is hereby
2932 amended by inserting after the word “aqueducts” the following words: “and funding shall be
2933 made available until December 31, 2028.

2934 SECTION 90. (a) For the purposes of this section, the following terms shall have the
2935 following meanings unless the context clearly requires otherwise:

2936 “Bilge oil treatment unit” or “treatment unit”, a system used to separate oil and other
2937 pollutants from oily bilge water.

2938 “Department”, the department of environmental protection.

2939 “Oily bilge water”, water from a vessel’s engine room that collects in the lowest part of
2940 the hull and is contaminated with oil and other pollutants.

2941 (b) Notwithstanding any general or special law to the contrary, a bilge oil treatment unit
2942 designed for the purposes of collection, separation or treatment and disposal of oily bilge water
2943 collected from commercial vessels shall be exempt from the requirements of a licensed
2944 hazardous waste treatment facility pursuant to 310 C.M.R. 30 if: (i) the treatment unit is sited
2945 within 1,320 feet of the mean high water mark of the harbor bordered by the city of New
2946 Bedford and the town of Fairhaven; and (ii) the owner or operator of the treatment unit, as
2947 determined by the department, presents the following information to the department for
2948 approval: (A) a description of the characteristics and quantity of the oily bilge water to be treated

2949 or otherwise managed at the treatment unit; (B) a description and conceptual plan of the
2950 activities, treatment units, facilities and processes to be used at the treatment unit, including flow
2951 diagrams; (C) relevant design and operation parameters of the treatment unit, including: (1)
2952 design criteria, assumptions and calculations; (2) expected treatment, destruction, immobilization
2953 or containment efficiencies and documentation of how that degree of effectiveness was
2954 determined; and (3) demonstration that the treatment unit will achieve the identified goals of
2955 reducing the frequency and volume of bilge oil spills; (D) design features for control of spills and
2956 accidental discharge or system malfunction including, but not limited to, containment structures,
2957 leak detection devices, runoff controls, pressure valves, bypass systems or safety cutoffs; and (E)
2958 a description of the methods for management or disposal of any treatment residual generated as a
2959 result of the treatment at the treatment unit.

2960 (c) Information on the proposed plans prepared in accordance with industry-standard
2961 engineering and construction standards for the construction of the treatment unit shall be
2962 provided to the department by the owner or operator and shall include, but not be limited to: (i)
2963 plans, material specifications and procedures related to the construction of the treatment unit; and
2964 (ii) a schedule for the design and construction of the treatment unit.

2965 (d) The owner or operator of a treatment unit shall provide the department with an
2966 operation, maintenance and monitoring plan to ensure the effective operations of the treatment
2967 unit under both ordinary and emergency conditions. The plan shall include, but not be limited to,
2968 as appropriate: (i) the name and telephone number of the person conducting operation,
2969 maintenance or monitoring activities; (ii) general operating procedures, including startup, testing,
2970 maintenance, shutdown and emergency or contingency procedures; and (iii) specification of the

2971 type, frequency and duration of monitoring and testing or inspections to ensure and confirm that
2972 the treatment unit is performing as designed.

2973 SECTION 91. (a) The executive office of energy and environmental affairs shall
2974 establish a pilot program for research activities and demonstration projects for nature-based
2975 solutions, as defined in section 1 of chapter 21N of the General Laws. The program shall: (i)
2976 define categories of nature-based solutions and develop standards for their use; (ii) coordinate,
2977 streamline and expedite the permitting and review process for activities and projects; and (iii)
2978 prioritize activities and projects that advance scientific knowledge, provide conservation benefits
2979 and minimize impacts to existing wetlands. The secretary of energy and environmental affairs
2980 and commissioners or directors of permitting agencies may modify specific performance
2981 standards for nature-based solutions.

2982 (b) The pilot program shall commence upon the effective date of this act and operate for
2983 5 years. Not later than 1 year after the effective date of this act, and annually thereafter, the
2984 secretary shall file a report with the clerks of the senate and house of representatives and the joint
2985 committee on environment and natural resources that: (i) details the categories of nature-based
2986 solutions; (ii) analyzes the approval time for all permits required for each approved research
2987 activity or demonstration project; (iii) specifies any specific performance standards modified for
2988 each approved research activity or project; and (iv) provides data about the effectiveness of each
2989 approved research activity or project.

2990 SECTION 92. The department of environmental protection shall conduct a culturally
2991 competent and linguistically diverse outreach and education program regarding non-flushable
2992 wipes consistent with section 330 of chapter 94 of the General Laws. In conducting the outreach

2993 and education program, the department shall consult with the Massachusetts Water Resources
2994 Authority, the Greater Lawrence Sanitary District, Upper Blackstone Clean Water, the city of
2995 Springfield water and sewer commission, the city of Pittsfield wastewater treatment plant
2996 division, the city of New Bedford department of public infrastructure wastewater division, the
2997 city of Fall River sewer commission, the city of Brockton department of public works sewer
2998 division, the town of Franklin water and sewer division, the city of Attleboro wastewater
2999 department and the Barnstable county Alternative Septic System Tracking program.

3000 SECTION 93. (a) Notwithstanding chapter 40N of the General Laws or any other general
3001 or special law to the contrary the powers of the Springfield water and sewer commission shall be
3002 exercised by a 7 member board of directors consisting of: 4 members to be appointed by the
3003 mayor of the city of Springfield and serve coterminous with the mayor; and 3 members
3004 appointed by the advisory board under subsection (g). Not more than 4 members may reside in
3005 the same municipality. Advisory board appointees shall serve 6-year terms, with initial phased
3006 terms ending June 30, 2026, June 30, 2028 and June 30, 2030, as designated at appointment.

3007 (b) Members shall serve until successors are appointed and qualified and are eligible for
3008 reappointment. Vacancy appointments shall be for the remainder of the unexpired term. Before
3009 serving, each member shall take an oath before the governor and such oath shall be filed with the
3010 state secretary. Members may be removed by the appointing authority for misfeasance,
3011 malfeasance, or willful neglect upon majority vote of the board of directors. The board shall elect
3012 a chair annually. Four members of the board of directors shall constitute a quorum and an
3013 affirmative vote of 4 members shall be necessary and shall suffice for any action taken by the
3014 board of directors. Any action of the board may take effect immediately and shall not be required
3015 to be published or posted unless otherwise provided by law. No vacancy in the membership of

3016 the board of directors shall impair the right of a quorum to exercise the powers of the board of
3017 directors. The board shall be subject to section 11A½ of chapter 30 of the General Laws and any
3018 other laws applicable to public bodies and public records and the commission shall be a public
3019 agency for the purposes of chapter 12A of the General Laws and funds shall be held consistent
3020 with said chapter 12A.

3021 (c) Notwithstanding any other general or special law to the contrary, any member of the
3022 board of directors who is also an officer or employee of the commonwealth or of a city or town
3023 or other public body shall not be precluded from voting for or acting on behalf of the
3024 commission, the commonwealth or such city or town or other public body on any matter
3025 involving the commission, the commonwealth or that city or town or other public body and any
3026 member, officer, employee or agent of the commission shall not be precluded from acting for the
3027 commission on any particular matter solely because of any interest therein which is shared
3028 generally with a substantial segment of the public. The commission shall be a state agency for
3029 purposes of chapter 268A of the General Laws and shall be a governmental body for the
3030 purposes of chapter 268B of the General Laws.

3031 (d) There shall be an advisory board to the commission which shall consist of (i) a voting
3032 representative of each of the following cities and towns: the town of Ludlow, the city of
3033 Springfield, the town of Wilbraham, the city known as the town of East Longmeadow,
3034 Longmeadow, the city known as the town of Agawam and the city known as the town of West
3035 Springfield; and (ii) 2 persons who shall represent the interests of persons and communities in
3036 the Little River watershed area to be designated by agreement among the chair of the select
3037 boards in the towns of Russel, Granville and Blanford. The advisory board member representing
3038 a municipality shall be its chief executive officer; provided, however, that the chief executive

3039 officer may file with the commission in writing a permanent designee to serve in their stead until
3040 the expiration or earlier vacancy of the officer's term.

3041 For purposes of this section, "chief executive officer" shall mean the person designated as
3042 the chief executive officer under a local charter or law having the force of a charter, or otherwise
3043 the mayor in a city and the chair of the board of selectmen or president of the town council in a
3044 town, as applicable.

3045 (e) The advisory board shall have 100 total votes, 90 of which shall be divided on a
3046 fractional basis in the manner hereafter provided among the municipalities listed in clause (i) of
3047 the first sentence of subsection (a) and 10 of which shall be exercised by the representative
3048 designated in clause (ii) of said first sentence of said subsection (a). The fractional vote of the
3049 representative of each municipality shall be determined annually by the commission on a
3050 weighted basis by dividing a reasonable estimate of the charges for the commission's services to
3051 users in that municipality by a reasonable estimate of the charges for the commission's services
3052 to all users in all such municipalities. Each year, the determination of votes shall be certified to
3053 the advisory board by the commission; provided, however, that within 5 days of the effective
3054 date of this act the executive office of energy and environmental affairs shall prepare an interim
3055 voting value based on the most recent available annual records of the costs of water and sewer
3056 services, which interim voting value shall be conclusive upon the advisory board until July 1,
3057 2026. Said advisory board may act at a regular periodic meeting called in accordance with its by-
3058 laws or at a special meeting called by the commission or by representatives of not less than 4
3059 members of the advisory board. Except as provided in subsection (h), a quorum of the advisory
3060 board shall consist of representatives who hold a total voting strength of not less than 67 of the
3061 votes of the advisory board and the advisory board may act, except as otherwise provided in

3062 subsection (h), by the affirmative casting of a majority of the votes represented in the quorum.
3063 The advisory board shall be deemed a governmental body and subject to section 11A½ of
3064 chapter 30A of the General Laws and section 10 of chapter 66 of the General Laws.

3065 (f) The advisory board shall adopt by-laws and elect officers annually including a chair, a
3066 vice chair and a secretary and such other officers as said advisory board may determine. Officers
3067 shall serve until successors are chosen and may be removed with or without cause. Vacancies
3068 shall be filled by the advisory board for unexpired terms. Members shall serve without pay but
3069 may be reimbursed for approved expenses.

3070 (g) The purposes of the advisory board shall be: (i) to appoint 3 members of the board of
3071 directors of the commission; (ii) to consider matters committed to the approval of the advisory
3072 board; (iii) to make recommendations to the commission on annual current expense expenditure
3073 budgets submitted to the advisory board; (iv) to make recommendations to the commission on its
3074 charges; (v) to hold hearings, which may be held jointly with the commission at the discretion of
3075 the advisory board and said commission, on matters relating to said commission; (vi) to review
3076 the annual report of the commission and to prepare comments thereon to the commission and the
3077 governor, and to make such examinations of the reports on the commission's records and affairs
3078 as the advisory board deems appropriate; and (vii) to make recommendations to the governor and
3079 the general court respecting the commission and its programs.

3080 The advisory board shall have all powers necessary or convenient to carry out and
3081 effectuate the foregoing purposes.

3082 (h) The advisory board shall appoint three members to the commission's board of
3083 directors, who may also serve on the advisory board. Appointments require a special quorum of a

3084 majority of voting members and approval by a majority of those present, with one vote per
3085 member. No appointee may serve more than two consecutive terms, excluding partial terms
3086 under 6 years due to vacancy or initial appointment.

3087 (i) The advisory board shall hold a public hearing within 30 days of receiving a proposed
3088 budget or within 15 days of a budget amendment to gather public input and report findings to the
3089 commission.

3090 (j) The advisory board shall appoint an ombudsman who, with any staff and consultants
3091 authorized by the advisory board, shall act on behalf of the advisory board as follows: (i)
3092 preparing analyses for the advisory board of the commission's current expense budgets, capital
3093 expenditure budgets and capital programs, and their effect on the commission's charges; (ii)
3094 representing the advisory board to the commission in matters relating to its programs, operations,
3095 finances and charges; (iii) reporting regularly to the advisory board on the activities of the
3096 ombudsman and advisory board staff, on the affairs of the commission, and on the effect of the
3097 commission's programs and operations on consumer water and sewer costs; and (iv) performing
3098 such other duties consistent with the advisory board's powers as the advisory board may assign.

3099 (k) The advisory board may incur not more than \$100,000 annually in expenses under
3100 subsection (c). Costs shall be paid by the commission beginning July 1, 2026 from state-
3101 appropriated funds and thereafter included in the commission budget. The cap may be increased
3102 upon commission approval of justification.

3103 (l) The commission shall amend its bylaws and organizational documents not later than
3104 December 31, 2026, to conform to this section.

3105 SECTION 94. Not later than December 31, 2027, the department of environmental
3106 protection shall publish on its website and submit to the senate and house committees on ways
3107 and means and the joint committee on environment and natural resources a report stating its
3108 progress on implementing the composting and other components of the department's Organics
3109 Action Plan of November 2023. The report shall clearly indicate any recommended legislative
3110 changes or resources necessary to increase the rate at which food and organic waste is composted
3111 and reduce the contamination of waste and recycling streams by compostable materials.

3112 SECTION 95. There shall be a special commission on commonwealth port development
3113 to recommend an integrated statewide strategic vision for Massachusetts ports, including the
3114 designated port areas of Gloucester Inner Harbor, Salem Harbor, the city of Lynn, the city of Fall
3115 River, Mystic river, Chelsea creek, the East Boston section of the city of Boston, the South
3116 Boston section of the city of Boston, Weymouth Fore river, New Bedford-Fairhaven and Mount
3117 Hope Bay. The commission shall identify industry-specific opportunities and needs, assess
3118 existing infrastructure with capacity and resources and develop recommendations to achieve
3119 stated priorities and goals.

3120 The commission shall prepare a report proposing an integrated statewide vision for the
3121 commonwealth's ports and recommendations to implement that vision. The report shall include
3122 an assessment for relevant industry sectors, which shall include, but not be limited to: (i)
3123 commercial and recreational fishing; (ii) energy; (iii) shipping, bulk cargo and goods; (iv)
3124 transportation and tourism; and (v) ocean technology and emerging markets. For each industry
3125 sector, the report shall assess existing conditions, industry needs and opportunities for growth,
3126 taking into account infrastructure, costs, limiting geographic constraints and workforce
3127 development needs. The commission shall also consider, for each industry sector, the existing

3128 conditions and potential for development in each designated port area to achieve the vision for
3129 growth. The commission shall evaluate opportunities, constraints and best practices related to
3130 low-income community access to the waterfront, housing and mixed use zoning in and around
3131 designated port areas, workforce housing for marine industry workers, artist housing and work
3132 space, consideration of land use compatibility, community needs, coastal resilience requirements
3133 and the integration of mixed use development with active port operations.

3134 The commission shall consist of: the secretary of economic development or a designee,
3135 who shall serve as co-chair; the secretary of energy and environmental affairs or a designee, who
3136 shall serve as co-chair; the chief executive officer of the Massachusetts Port Authority or a
3137 designee; and 18 members who shall be appointed by the governor, 10 of whom shall be
3138 representatives of the 10 designated port areas,; provided, that not more than 1 representative
3139 shall be from the same city or town; 5 of whom shall be representatives of each water-dependent
3140 industry sector; and 3 of whom shall be representatives of community groups representing the
3141 north shore, Boston harbor and south coast regions.

3142 The commission shall consult with the division of marine fisheries, the office of coastal
3143 zone management, the department of environmental protection, the Massachusetts clean energy
3144 center, the Massachusetts Bay Transportation Authority, the Massachusetts development finance
3145 agency, the seaport economic council, the commercial fisheries commission, the executive office
3146 of housing and livable communities, any municipality that is host to a designated port area but
3147 does not otherwise have a representative on the commission and other entities representing
3148 stakeholder perspectives as determined by the commission.

3149 Not later than 18 months after the effective date of this act, the commission shall file its
3150 report with the clerks of the senate and house of representatives, the chairs of the joint committee
3151 on economic development and emerging technologies and the chairs of the house and senate
3152 committees on ways and means.

3153 SECTION 96. There shall be a special commission on flood risk mitigation and resilience
3154 in the Connecticut river valley. The commission shall consist of the secretary of energy and
3155 environmental affairs or a designee, who shall be chair; the director of the Massachusetts
3156 emergency management agency or a designee; the executive director of the Franklin regional
3157 council of governments or a designee; the executive director of the Pioneer Valley planning
3158 commission or a designee; 1 member appointed by the senate president, who shall be a member
3159 of the senate from a district within the Connecticut river watershed; 1 member appointed by the
3160 senate minority leader, who shall be a resident of the Connecticut river watershed; 1 member
3161 appointed by the speaker of the house of representatives, who shall be a member of the house of
3162 representatives from a district within the Connecticut river watershed; 1 member appointed by
3163 the minority leader of the house of representative, who shall be a resident of the Connecticut
3164 river watershed; and 15 members appointed by the governor, 6 of whom shall be representatives
3165 of municipalities within the Connecticut river watershed, 2 of whom shall be representatives of
3166 regional water and sewer utilities, 1 of whom shall be a representative of a watershed
3167 organization, 1 of whom shall be a representative of the agriculture sector, 1 of whom shall be a
3168 representative from an environmental justice organization, 1 of whom shall be a representative
3169 from a land trust, 1 of whom shall be a representative from a labor organization and 2 of whom
3170 shall be representatives of regional higher education institutions.

3171 The commission shall prepare a plan that identifies and prioritizes regional resilience
3172 projects that reduce flood risk in the Connecticut river valley through 2050, which shall include,
3173 but not be limited to: (i) a summary of applicable municipal vulnerability preparedness plans; (ii)
3174 identification of structural and non-structural regional resilience projects that would reduce flood
3175 risk to critical infrastructure, vulnerable populations, the economy and natural resources; (iii) an
3176 implementation plan including project costs, timelines and responsible entities; (iv)
3177 recommendations for local planning and policy actions to align with regional and state goals; and
3178 (v) a strategy for engaging disadvantaged and priority populations.

3179 The commission shall consult with the department of conservation and recreation, the
3180 department of agricultural resources, the department of environmental protection and the
3181 department of transportation.

3182 Not later than 18 months after the effective date of this act, the commission shall file its
3183 plan with the clerks of the senate and house of representatives, the chairs of the joint committee
3184 on environment and natural resources and the chairs of the house and senate committees on ways
3185 and means.

3186 SECTION 97. (a) There shall be a special legislative commission to study and
3187 recommend specific revenue sources to fund essential wastewater infrastructure improvements in
3188 response to nitrogen pollution in southeastern Massachusetts near the Buzzards Bay watershed
3189 area specifically in the towns of Acushnet, Carver, Dartmouth, Fairhaven, Lakeville, Gosnold,
3190 Marion, Mattapoisett, Middleborough, Plymouth, Rochester, Wareham and Westport and the city
3191 of New Bedford.

3192 (b) The special legislative commission shall consist of 25 members, including: the chairs
3193 of the joint committee on environment and natural resources, who shall serve as co-chairs; the
3194 secretary of energy and environmental affairs or a designee; the secretary of administration and
3195 finance or a designee; the executive director of the Southeastern Regional Planning and
3196 Economic Development District or a designee; the president of the Buzzards Bay Coalition, Inc.
3197 or a designee; the executive director of the One Southcoast Chamber, Inc. or a designee; 1
3198 member appointed by the senate president who shall be a resident of the southeastern region; 1
3199 member appointed by the minority leader of the senate who shall be a resident of the
3200 southeastern region; 1 member appointed by the speaker of the house of representatives who
3201 shall be a resident of the southeastern region; 1 member appointed by the minority leader of the
3202 house of representative who shall be a resident of the southeastern region; and 1 member per
3203 each community specified in subsection (a), to appointed by the select board or mayor of such
3204 community.

3205 All appointments shall be made not more than 30 days following the effective date of this
3206 act. The co-chairs shall convene the first meeting of the special commission not more than 45
3207 days after all appointments have been made.

3208 (c) The commission shall examine the level of investment and financial need required to
3209 reduce nutrient pollution to the south coast's coastal waters, including the costs to: (i) expand
3210 sewer infrastructure to connect more septic systems to sewerage; (ii) expand capacity and
3211 upgrade the level of treatment at existing wastewater treatment facilities; (iii) construct
3212 additional wastewater treatment facilities to address expanded service areas; (iv) reduce
3213 combined sewer overflow discharges; and (v) upgrade septic systems to nitrogen reducing
3214 systems. The commission shall consider and examine the potential funding sources to finance

3215 wastewater infrastructure improvements and best practices for municipal financial policies and
3216 procedures.

3217 The commission shall develop a plan of funding and financing recommendations to
3218 address wastewater infrastructure needs and to reduce nitrogen pollution in the southeastern
3219 region near the Buzzards Bay watershed area. The plan shall include, but not be limited to: (i) a
3220 list of potential projects in the affected areas that address wastewater infrastructure needs and
3221 reduce nitrogen pollution, including estimate project costs, timelines and responsible entities;
3222 and (ii) funding and financing recommendations to support projects that address wastewater
3223 infrastructure needs and reduce nitrogen pollution, including fair and equitable means of
3224 financing wastewater infrastructure improvement projects to address nitrogen pollution. The
3225 commission may consult and work with outside experts to conduct necessary reviews, provide
3226 guidance on potential action plans and provide economic analysis of financing sources identified
3227 through the special commission’s work. The experts shall be specialists in the fields of tax
3228 administration and financing, nutrient pollution, water quality, wastewater infrastructure and any
3229 other fields that may be deemed useful to carry out and implement the commission’s tasks.

3230 (d) The commission shall hold not less than 3 public hearings in the southeastern region
3231 to assist in the collection and evaluation of data and testimony. Experts may attend the public
3232 hearings to provide testimony and any other relevant information regarding the fulfilment of the
3233 commission’s objectives.

3234 (e) The commission shall prepare a written report detailing identified funding sources,
3235 financing options, projects in the region that reduce nitrogen pollution and its recommendations,
3236 if any, together with drafts of legislation necessary to carry those recommendations into effect.

3237 The commission shall submit its report to the governor, the secretary of energy and
3238 environmental affairs, the clerks of the senate and house of representatives, the chairs of the
3239 senate and house committees on ways and means and the joint committee on environment and
3240 natural resources not later than June 15, 2027.

3241 SECTION 98. (a) There shall be a special commission to study water conservation and
3242 reuse. The commission shall examine how implementing water reuse requirements in the
3243 commonwealth would affect construction costs, consumer savings, water conservation and
3244 public health.

3245 (b) The commission shall consist of: the commissioner of conservation and recreation, or
3246 a designee, who shall serve as co-chair; the commissioner of environmental protection, or a
3247 designee, who shall serve as co-chair; 4 members who shall be appointed by the governor; 2
3248 members who shall be representatives from the department of public health appointed by the
3249 commissioner of public health; 2 members appointed by Home Builders and Remodelers
3250 Association of Massachusetts, Inc.; 2 members appointed by Associated General Contractors of
3251 Massachusetts, Inc.; 2 members appointed by the Boston chapter of the American Society of
3252 Plumbing Engineers; 2 members appointed by Boston Society of Civil Engineers Section of the
3253 American Society of Civil Engineers; 2 representatives of labor associated with the
3254 Massachusetts plumbing industry; 2 members appointed by Plumbing-Heating-Cooling
3255 Contractors of Massachusetts, Inc.; 2 members appointed by Greater Boston Plumbing
3256 Contractors Association, Inc.; 1 member of the board of state examiners of plumbers and gas
3257 fitters; 1 member appointed who shall be a member of the International Association of Plumbing
3258 and Mechanical Officials; and the executive director of the Massachusetts Rivers Alliance, Inc.,
3259 or a designee.

3260 (c) The commission shall research the potential benefits of expanding water reuse and
3261 conservation efforts in both residential and nonresidential construction applications including,
3262 but not limited to, greywater, rainwater and stormwater collection and reuse opportunities. The
3263 commission shall issue a report, including any plans and recommendations for consideration, to
3264 the clerks of the senate and house of representatives not later than July 1, 2027.

3265 SECTION 99. (a) The secretary of energy and environmental affairs shall coordinate
3266 implementation of an ocean acidification monitoring system to study the threat posed by ocean
3267 and coastal acidification by: (i) engaging with and, to the extent practicable, coordinating public
3268 and private monitoring efforts of ocean acidification; (ii) harmonizing data collection; (iii)
3269 providing, where available, monitoring hardware and technical assistance; (iv) recommending
3270 mitigative interventions for coastal stressors or adaptive technologies for aquaculture,
3271 prioritizing nature-based solutions to manage stormwater and reduce nutrient pollution; (v)
3272 aggregating ocean acidification data from available public and private sources with other
3273 available ocean monitoring data, including, but not limited to, salinity, temperature and nutrient
3274 composition; and (vi) working with local ocean monitoring groups to analyze monitoring needs;
3275 provided, however, that the analysis of monitoring needs shall identify appropriate monitoring
3276 technologies and specific coastal waters where ocean acidification monitoring equipment would
3277 need to be placed to enable modeling for long term pH changes in coastal waters and permit
3278 short-term monitoring of aragonite saturation in variable and sensitive coastal waters to protect
3279 critical habitat and shellfish; and provided further, that data derived from the monitoring system
3280 shall be made publicly available in a dashboard and in a standardized format for research.

3281 (b) Annually, the secretary shall issue a report on ocean acidification based on data
3282 derived from the ocean acidification monitoring system established pursuant to this section,

3283 commencing 1 year after the implementation of the ocean acidification monitoring system. The
3284 secretary shall issue an updated ocean acidification report as an appendix of each ocean
3285 management plan.

3286 (c) In carrying out this section, the secretary shall avoid duplicating regional efforts and
3287 shall incorporate best available science with data from the ocean acidification monitoring system
3288 established in this section and data from local and private monitoring efforts, where available,
3289 and shall employ methods which shall include, but shall not be limited to: (i) modeling ocean
3290 and coastal acidification trends in coastal waters and project acidification trends; (ii) studying the
3291 effects of acidification on marine species that are ecologically or economically important or
3292 understudied, including an examination of the impact of multimodal stress and shall include a
3293 study of acidification effects on the American lobster, Eastern oyster, sea scallops, quahogs and
3294 fin fish; (iii) clarifying any causal relationship between nutrient pollution, eutrophication and
3295 coastal acidification in coastal waters; (iv) determining how different coastal stressors contribute
3296 to coastal acidification; (v) estimating the economic impacts of modeled and projected
3297 acidification on the commonwealth's economy; (vi) determining if current total maximum daily
3298 loads under the Massachusetts estuaries project are sufficient to keep acidity in the
3299 commonwealth's embayments within the ranges required by 314 CMR 4.05 through 2050 and
3300 proposing changes to 314 CMR §§ 4 and 5 and total maximum daily loads if needed, taking into
3301 account ocean and coastal acidification as particularized stressors; (vii) performing cost-benefit
3302 analyses of intervention strategies to determine where pollution reductions will most efficiently
3303 resilience acidification; and (viii) developing best adaptive practices for the shell fishing industry
3304 to use to adapt to acidification.

3305 SECTION 100. The department of environmental protection shall study and make
3306 recommendations on the feasibility and benefits of banning foam and solid polystyrene in the
3307 commonwealth. The study shall include, but not be limited to, an analysis of the: (i)
3308 environmental and other benefits of banning foam and solid polystyrene products; (ii) health
3309 impacts of foam and solid polystyrene use; (iii) reasonable and affordable alternatives to foam
3310 and solid polystyrene; and (iv) cost impacts of banning foam and solid polystyrene products on
3311 retailers, consumers and municipalities.

3312 Not later than June 30, 2027, the department shall file a report on its findings, including
3313 any recommendations, with the clerks of the senate and the house of representatives and the joint
3314 committee on environment and natural resources.

3315 SECTION 101. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the
3316 General Laws, section 35 of chapter 92 of the General Laws or any other general or special law
3317 to the contrary, the commissioner of capital asset management and maintenance may, in
3318 consultation with the commissioner of conservation and recreation, transfer Ravine road between
3319 Fellsway East to the town line of the town of Stoneham to the town of Stoneham; provided, that
3320 the exact boundaries of the parcel to be conveyed shall be determined by the commissioner of
3321 capital asset management and maintenance.

3322 (b) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws,
3323 section 35 of chapter 92 of the General Laws or any other general or special law to the contrary,
3324 the commissioner of capital asset management and maintenance may, in consultation with the
3325 commissioner of conservation and recreation, transfer Ravine road between West Wyoming
3326 avenue to the town line of the town of Melrose to the town of Melrose; provided, that the exact

3327 boundaries of the parcel to be conveyed shall be determined by the commissioner of capital asset
3328 management and maintenance.

3329 (c) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws,
3330 section 35 of chapter 92 of the General Laws or any other general or special law to the contrary,
3331 the commissioner of capital asset management and maintenance may, in consultation with the
3332 commissioner of conservation and recreation, transfer Everett street in the Allston-Brighton
3333 section of the city of Boston to the city of Boston; provided, that the exact boundaries of the
3334 parcel to be conveyed shall be determined by the commissioner of capital asset management and
3335 maintenance.

3336 (d) The consideration for the conveyances authorized by this section shall be nominal.

3337 (e) The grantee of any real property disposed of pursuant to this section shall be
3338 responsible for all costs relating to the conveyance, including, but not limited to, appraisals,
3339 surveys, plans, recordings and any other expenses, as shall be deemed necessary by the
3340 commissioner.

3341 SECTION 102. Notwithstanding any general or special law to the contrary, not later than
3342 June 30 in fiscal years 2027 and 2028, the Massachusetts Water Resources Authority shall
3343 annually make a payment of \$50,000 to each of the towns of Athol, Barre, Belchertown,
3344 Hardwick, Ludlow, New Salem, Orange, Pelham, Petersham, Phillipston, Shutesbury, Ware and
3345 Wendell to support the role of these communities in hosting the Quabbin reservoir.

3346 SECTION 103. Notwithstanding section 30 of chapter 29 of the General Laws or section
3347 65 of chapter 30 of the General Laws, a portion of the funds authorized in this act may be used
3348 for the costs associated with the purchase of title insurance and services for title examinations,

3349 reports and certifications; provided, however, that any executive department or state agency
3350 expending such funds shall maximize efforts and utilize all available means to minimize use of
3351 capital funds for such purpose.

3352 SECTION 104. Each agency acquiring land or an interest in land under this act may
3353 expend an amount not to exceed 5 per cent of the amount appropriated to that agency for the
3354 purpose of reimbursing nonprofit land conservation organizations or land trusts for reasonable
3355 expenses directly associated with the acquisition of land or interests in land subsequently
3356 conveyed to the commonwealth. Reimbursements shall be made at the discretion of the agency.
3357 The secretary of energy and environmental affairs shall determine, by regulation, what shall
3358 constitute reasonable expenses. If the commonwealth does not take title to the property through
3359 no fault of the nonprofit organization or the commonwealth, the commonwealth may reimburse
3360 the nonprofit organization for reasonable expenses associated with due diligence. An
3361 organization receiving a reimbursement under this section shall convey the land or interest in
3362 land to the agency for an amount not to exceed the actual purchase price paid by the organization
3363 for the land or interest in land in addition to any reimbursement received under this section.

3364 SECTION 105. For the purposes of sections 16, 35 and 52, “priority housing projects”
3365 shall mean housing projects that are: (i) housing-centered; (ii) dense; (iii) on infill sites; (iv)
3366 energy efficient; (v) designed to be adequately served by utilities; (vi) designed to promote
3367 resilience to flooding and other climate hazards; and (vii) designed to encourage access by
3368 multiple modes of transportation. The secretary of energy and environmental affairs shall, in
3369 consultation with the secretary of housing and livable communities and the commissioner of
3370 environmental protection, issue policy guidelines for priority housing projects within 6 months
3371 of the effective date of this act and promulgate regulations consistent with the policy guidelines.

3372 For the purposes of section 62E of chapter 30 of the General Laws, section 18D of
3373 chapter 91 of the General Laws and section 40 of chapter 131 of the General Laws, nature-based
3374 solutions projects shall include, but not be limited to, projects whose primary purpose is to
3375 restore, enhance or create wetland resource areas while increasing resilience or improving
3376 ecological function using natural methods and materials. The secretary of energy and
3377 environmental affairs shall, in consultation with the commissioner of environmental protection,
3378 the commissioner of fish and game and the director of coastal zone management, issue
3379 guidelines for identification of nature-based solutions projects within 6 months of the effective
3380 date of this act.

3381 For the purposes of section 62E of chapter 30 of the General Laws, section 18D of
3382 chapter 91 of the General Laws and section 40 of chapter 131 of the General Laws, the secretary
3383 of energy and environmental affairs shall promulgate regulations or issue guidance to identify
3384 projects for public coastal resilience infrastructure in previously disturbed or developed areas.

3385 SECTION 106. (a) The executive office of energy and environmental affairs shall, in
3386 consultation with the executive office for administration and finance, issue a report and make
3387 recommendations on financial solutions and strategies to facilitate and accelerate the deployment
3388 of climate and clean energy innovations in the public, private and nonprofit sectors.

3389 (b) The report shall include, but not be limited to: (i) an evaluation of a climate bank to
3390 provide loans and other forms of financial support to address climate resiliency, mitigate
3391 greenhouse gas emissions and support clean energy; (ii) financial strategies to reduce adverse
3392 economic effects from transitioning to clean energy; and (iii) job creation possibilities through
3393 climate and clean energy innovations.

3394 (c) Not later than January 1, 2027, the executive office of energy and environmental
3395 affairs shall submit a report of its findings and any recommendations for legislation to the clerks
3396 of the senate and house of representatives, the joint committee on financial services and the
3397 senate and house committees on ways and means.

3398 SECTION 107. (a) Notwithstanding any general or special law to the contrary, the
3399 secretary of energy and environmental affairs, in consultation with the commissioner of
3400 environmental protection and the commissioner of fish and game, shall establish standards and
3401 guidelines for the resilient design of culverts, including culverts associated with bridges, in order
3402 to expedite the permitting of new municipal or replacement of existing municipal culverts. Such
3403 standards and guidelines shall consider projected future levels of and impacts from precipitation,
3404 stormwater or flood events and impacts to fisheries and wildlife and their habitats and shall
3405 integrate the Massachusetts stream crossing standards and any other relevant standards, including
3406 then-current tidal crossing standards or resilience design standards. The standards and guidelines
3407 shall be based on scientific information including, but not limited to, projected precipitation,
3408 hydrology and fisheries and wildlife and their habitats. The secretary shall establish such
3409 standards and guidelines within 6 months of the effective date of this act and shall review them 5
3410 years thereafter. Nothing in this section shall be construed to limit the authority of the
3411 department of environmental protection to establish standards and guidelines for stream
3412 crossings, provided that such standards shall not conflict with the standards established by the
3413 secretary pursuant to this section.

3414 (b) No project shall be eligible for a general permit, general license, or inclusion in a
3415 special category pursuant to subsections (d) to (f), inclusive, unless it meets each of the
3416 following criteria: (i) The project involves a municipal project to repair, reconstruct or replace an

3417 existing municipal culvert or culverts, including culverts associated with bridges with spans of
3418 less than 20 feet; (ii) The project complies with the standards and guidelines issued pursuant to
3419 subsection (a) to the maximum extent practicable; (iii) except as needed to comply with clause
3420 (ii), the project provides substantially the same principal transportation capacity and is in a
3421 similar alignment to the structure to be repaired, reconstructed or replaced, including as to the
3422 immediate approaches necessary to connect a structure to an existing adjacent road, and the
3423 project does not include components of a reconstruction project other than the crossing and
3424 immediate approaches that are otherwise subject to permitting or licensing; provided, however,
3425 that the addition of sidewalks, bike lanes or shoulders that are collectively less than a single lane
3426 in width shall not be deemed to substantially change the principal transportation capacity of an
3427 existing structure; (iv) if a project is located or will take place in priority habitat designated by
3428 the natural heritage and endangered species program of the division of fisheries and wildlife, the
3429 proponent has provided to that program for review all materials required by the program and the
3430 program has completed its review and has determined that the proponent has demonstrated that
3431 the project will not result in take with or without conditions; and (v) the project complies with
3432 any other conditions established by regulation issued pursuant to this section.

3433 (c) The secretary and commissioner of environmental protection shall issue any
3434 regulations or take other actions necessary or appropriate to implement the use of the standards
3435 and guidelines established under subsection (a) to expedite implementation of projects meeting
3436 the criteria described in subsection (b) which require a certificate, permit, license, or other
3437 approval pursuant to: (i) section 61 and sections 62A to 62L, inclusive, of chapter 30 of the
3438 General Laws; (ii) chapter 91 of the General Laws; (iii) section 40 of chapter 131 of the General
3439 Laws; and (iv) section 401 of the Federal Water Pollution Control Act, Public Law 92-500, 33

3440 U.S.C., sections 1251 et seq., as amended. Such regulations shall require that for projects
3441 meeting the criteria described in of subsection (b), the department of environmental protection
3442 shall issue, deny or waive individual certifications pursuant to section 401 of the Federal Water
3443 Pollution Control Act within 60 days of a complete application.

3444 (d)(1) Notwithstanding any general or special law to the contrary, the department of
3445 environmental protection, for projects meeting the criteria described in subsection (b) and for the
3446 purposes of ensuring more expeditious processing of approvals for such projects, shall issue
3447 regulations that create a general permit for the authorization of such projects, or a subset thereof,
3448 under section 40 of chapter 131 of the General Laws. The permittee shall comply with all general
3449 permit performance standards established by such regulations and any additional conditions
3450 specified by the approving authority that are necessary to protect the resource areas because of
3451 unique circumstances that are not addressed by the general permit performance standards.

3452 (2) The procedures described in section 40 of said chapter 131 shall apply to general
3453 permits issued pursuant to this paragraph, except as provided herein:

3454 (A) Written notice of intention under the general permit shall be submitted to the
3455 conservation commission or its authorized representative and the department of environmental
3456 protection by electronic delivery in a manner prescribed by the department. A person submitting
3457 a notice of intention shall publish notification of the proposed project in a print newspaper of
3458 local or general circulation, or a newspaper's website, including on-line only newspaper
3459 publications, or a statewide or city- or town-wide website that may be maintained as a repository
3460 for such notices at the time of submittal of the notice of intention. Said notification shall describe
3461 the project location, details of the project, resource area impacts and any other relevant

3462 information needed to adequately describe the proposed project and shall specify that comments
3463 be sent within 14 days of publication to the conservation commission and the appropriate
3464 regional office of the department of environmental protection based on the location where the
3465 activities are proposed. No public hearing is required.

3466 (B) If, after reviewing the notice of intention, the conservation commission determines
3467 the project meets the criteria described in subsection (b), including any standards developed by
3468 the department of environmental protection, then the conservation commission shall issue an
3469 order of conditions containing any conditions pursuant to regulations established under clause (i)
3470 of subsection (d) within 42 days of a complete notice of intention under this general permit.
3471 Notices of intention not meeting the criteria of this paragraph shall be denied.

3472 (3) In the event that a conservation commission fails to issue an order of conditions or
3473 denial within the required time period, the project proponent may, within 10 days after such
3474 failure to act, request a superseding order of conditions from the department of environmental
3475 protection. The department of environmental protection shall make a decision and issue a written
3476 order or denial within 42 days from receipt of a complete request for a superseding order.

3477 (4) Paragraph 20 of section 40 of chapter 131 of the General Laws shall not apply to the
3478 general permit except that within 10 days of receipt by the department of environmental
3479 protection of an order of conditions issued pursuant to this general permit, the department may
3480 appeal such order of conditions pursuant to said paragraph 20 of said section 40 of said chapter
3481 131.

3482 (e)(i) Notwithstanding any general or special law to the contrary, the department of
3483 environmental protection, for projects meeting the criteria described in subsection (b) and for the

3484 purposes of ensuring more expeditious processing of approvals for such projects, shall issue
3485 regulations to create a general license for the authorization of such projects, or a subset thereof,
3486 which are otherwise subject to individual licensing under sections 12, 12A, 13, 14, 18 and 19 of
3487 chapter 91 of the General Laws. Licensees shall comply with any general license performance
3488 standards established by such regulations and any additional conditions specified by the
3489 department. A proponent of a project eligible for a general license under this section shall certify
3490 compliance with its terms and conditions to the department on such timelines as the department
3491 requires and shall pay all applicable fees required by the department. The department shall
3492 review such certification and, if consistent with the general license, confirm compliance in
3493 writing within 60 days of receipt of a complete application. No construction subject to said
3494 chapter 91 shall commence prior to issuance of such certification by the department. The
3495 regulations shall protect and preserve any rights held by the commonwealth in trust for the public
3496 to use tidelands, great ponds and other waterways for lawful purposes and public rights of access
3497 on private tidelands, great ponds and other waterways for any lawful use. The provisions of
3498 subsection (f), subsection (g) and subsection (h) of section 18D of the General Laws shall apply
3499 to general licenses issued pursuant to this paragraph.

3500 (f) Notwithstanding any general or special law to the contrary, the secretary may by
3501 regulation provide that projects meeting the criteria described in subsection (b), or a subset of
3502 such projects, are a special category of project which shall not require an environmental impact
3503 report under section 62B of chapter 30 of the General Laws regardless of location.

3504 (g) The department of environmental protection shall consolidate adjudicatory
3505 proceedings regarding the same proposed project that are requested for permits, licenses or

3506 certifications under subsections (d), (e) or (f) unless consolidation would not contribute to
3507 expeditious resolution of the appeals.

3508 (h) The department of environmental protection and executive office of energy and
3509 environmental affairs shall propose regulations not later than 6 months after the effective date of
3510 this act. The department and executive office shall provide support and guidance to cities and
3511 towns to assist them in applying concurrently for and otherwise streamlining the review and
3512 approval of projects eligible for general permits, general licenses or other approvals pursuant to
3513 this section.

3514 (i) Nothing in this section shall be construed to change the application of section 24 of
3515 chapter 79 of the acts of 2014.

3516 SECTION 108. All discretionary or competitive grant programs made available in this
3517 act for which eligible recipients include municipalities or other regional public entities comprised
3518 of municipalities shall include a preference modifier for applicants or prospective recipients that
3519 have zoning or land use policies that encourage the production of housing sufficient to meet
3520 commonwealth housing goals as determined by the executive office of housing and livable
3521 communities; provided, however, that such polices may include, but need not be limited to, as-
3522 of-right zoning capacity for multifamily housing that provides opportunity to build housing in
3523 appropriate areas, the elimination of parking minimums for residential use, the elimination of
3524 restrictive lot size requirements and wastewater and wetlands standards that do not exceed state
3525 health or environmental standards. A regional or other partnership of not less than 2
3526 municipalities shall only be eligible for such preference modifier if the applicable requirements
3527 in all included municipalities are met. The executive office for administration and finance, in

3528 consultation with the executive office of energy and environmental affairs and the executive
3529 office of housing and livable communities shall issue guidelines to implement this section.

3530 SECTION 109. Notwithstanding any general or special law to the contrary, the
3531 commissioner of environmental protection shall, not later than January 1, 2028, review and
3532 update as necessary regulations relating to the subsurface disposal of sanitary sewage pursuant to
3533 chapter 21A section 13 of the General Laws and to wetland resource areas pursuant to chapter
3534 131 of section 40 of the General Laws. The commissioner shall, in reviewing and amending as
3535 necessary such regulations, give consideration to local conditions including, but not limited to,
3536 soil type, depth to groundwater, proximity to wetland resource areas and density of existing
3537 development. The commissioner may establish regional or site-specific standards where local
3538 conditions so require.

3539 SECTION 110. Notwithstanding any general or special law to the contrary, the
3540 department of conservation and recreation shall make available housing in the historic farmhouse
3541 located within the Manuel F. Correllus state forest on Fire road 56, off of Sanderson avenue, in
3542 the town of Edgartown to the superintendent of the Manuel F. Correllus State Forest on Martha's
3543 Vineyard, subject to such terms and conditions as the department deems appropriate and
3544 contingent upon the superintendent remaining employed by the department. If the superintendent
3545 elects not to live in the house, the department shall make the house available to other employees
3546 of the department who care for the state forest, on the same terms.

3547 SECTION 111. Section 107 is hereby repealed.

3548 SECTION 112. Notwithstanding any general or special law to the contrary, a city or
3549 town, on behalf of which legislation has been duly filed with the general court before the

3550 effective date of this act, shall be considered to have adopted section 5B of chapter 132B of the
3551 General Laws; provided, however, that such city or town shall submit a letter to the department
3552 of agricultural resources indicating the city or town seeks such adoption not later than 180 days
3553 after the regulations implementing said section 5B are promulgated.

3554 SECTION 113. Notwithstanding any general or special law to the contrary, the
3555 unexpended and unencumbered balances of the bond-funded authorizations in the following
3556 accounts shall cease to be available for expenditure 180 days after the effective date of this act:
3557 2500-7024, 2850-9951, 2840-8963, 2850-6967, 2820-1420, 2840-7993, 2800-2012, 2800-2013,
3558 2800-2014, 2800-2019, 2820-2011, 2820-2012, 2840-2013, 2840-2014, 2840-2018, 2840-2019,
3559 2840-2023, 2890-2023, 2890-2040, 2800-7013, 2800-7018, 2800-7016, 2800-7011, 2800-7012,
3560 2800-7015, 2800-7017, 2800-7019, 2800-7022, 2800-7097, 2800-7098, 2840-7014, 2840-7017,
3561 2890-7010, 2890-7011, 2810-7872, 2810-8802, 2800-7035, 2800-7031, 2800-7108, 2840-7026,
3562 2840-7027, 6720-1336, 2840-7024, 2890-7035, 2800-7020, 9300-3909, 9300-7909, 9300-7010,
3563 2000-6966, 2000-6967, 2000-6969, 2000-2010, 2000-2011, 2000-2012, 2000-2014, 2000-2015,
3564 2000-2016, 2000-2018, 2000-2019, 2000-2020, 2000-2021, 2000-2022, 2000-2023, 2000-2024,
3565 2000-2025, 2000-2026, 2000-2017, 2000-2035, 2000-2028, 2000-2029, 2000-7013, 2000-7014,
3566 2000-7015, 2000-7016, 2000-7018, 2000-7023, 2000-7024, 2000-7025, 2000-7052, 2000-7054,
3567 2000-7057, 2000-7056, 2000-7051, 2000-7029, 2000-7053, 2000-7070, 2000-7028, 2000-7031,
3568 2000-7055, 2000-7059, 2000-7062, 2000-7063, 2000-7135, 2000-7081, 2240-8820, 2250-8820,
3569 2250-8822, 2200-7991, 2200-2011, 2200-2012, 2200-2013, 2200-2014, 2200-2015, 2200-2016,
3570 2200-2017, 2200-2018, 2200-2019, 2200-7011, 2200-7013, 2200-7017, 2200-7018, 2200-7020,
3571 2200-7025, 2300-2010, 2300-2011, 2300-2012, 2300-2014, 2300-2016, 2300-2017, 2300-7018,
3572 2300-7010, 2300-7011, 2300-7015, 2300-7016, 2300-7020, 2300-7021 and 2300-7025.

3573 SECTION 114. Notwithstanding any general or special law to the contrary, to meet the
3574 expenditures necessary in carrying out sections 2 to 2D, inclusive, the state treasurer shall, upon
3575 receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to
3576 be specified by the governor from time to time but not exceeding, in the aggregate,
3577 \$3,370,605,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on
3578 their face “An Act to Build Resilience for Massachusetts Communities” and shall be issued for a
3579 maximum term of years, not exceeding 20 years, as the governor may recommend to the general
3580 court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided,
3581 however, that all such bonds shall be payable not later than June 30, 2052. All interest and
3582 payments on account of principal on such obligations shall be payable from the General Fund.
3583 Bonds and interest thereon issued under the authority of this section shall, notwithstanding any
3584 other provision of this act, be general obligations of the commonwealth.

3585 SECTION 115. Notwithstanding any general or special law to the contrary, to meet the
3586 expenditures necessary in carrying out section 2E, the state treasurer shall, upon receipt of a
3587 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
3588 by the governor from time to time but not exceeding, in the aggregate, \$450,000,000. All bonds
3589 issued by the commonwealth, as aforesaid, shall be designated on their face “An Act to Build
3590 Resilience for Massachusetts Communities” and shall be issued for a maximum term of years,
3591 not exceeding 20 years, as the governor may recommend to the general court pursuant to section
3592 3 of Article LXII of the Amendments to the Constitution; provided, however, that all such bonds
3593 shall be payable not later than June 30, 2052. All interest and payments on account of principal
3594 on such obligations shall be payable from the General Fund. Bonds and interest thereon issued

3595 under the authority of this section shall, notwithstanding any other provision of this act, be
3596 general obligations of the commonwealth.

3597 SECTION 116. Notwithstanding any general or special law to the contrary, to meet the
3598 expenditures necessary in carrying out sections 2F to 2G, inclusive, the state treasurer shall, upon
3599 receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to
3600 be specified by the governor from time to time but not exceeding, in the aggregate,
3601 \$125,000,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on their
3602 face “An Act to Build Resilience for Massachusetts Communities” and shall be issued for a
3603 maximum term of years, not exceeding 30 years, as the governor may recommend to the general
3604 court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided,
3605 however, that all such bonds shall be payable not later than June 30, 2062. All interest and
3606 payments on account of principal on such obligations shall be payable from the General Fund.
3607 Bonds and interest thereon issued under the authority of this section shall, notwithstanding any
3608 other provision of this act, be general obligations of the commonwealth.

3609 SECTION 117. Sections 10, 27 through 34, inclusive, 33, 54 through 56, inclusive and 63,
3610 70 through 73, inclusive, shall take effect 90 days from the effective date of this act.

3611 SECTION 118. Sections 24 and 80 shall take effect on July 1, 2026.

3612 SECTION 119. The program plan required under section 9 of chapter 21H of the General
3613 Laws shall be submitted to the department of environmental protection not later than 12 months of
3614 the effective date of this act.

3615 SECTION 120. Sections 19 and 22 shall take effect on July 1, 2027.

3616 SECTION 121. Sections 13, 14, 43, 72 and 73 shall take effect on January 1, 2028.

3617 SECTION 122. Section 60 shall take effect January 1, 2028.

3618 SECTION 123. Section 111 shall take effect 10 years from the effective date of this act.