SENATE DOCKET, NO. 1916 FILED ON: 1/17/2025

SENATE . . . . . No. 560

The Commonwealth of Massachusetts

PRESENTED BY:

Brendan P. Crighton

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to facilitate climate resiliency.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Brendan P. Crighton	*Third Essex*

SENATE DOCKET, NO. 1916 FILED ON: 1/17/2025

SENATE . . . . . No. 560

By Mr. Crighton, a petition (accompanied by bill, Senate, No. 560) of Brendan P. Crighton for legislation to facilitate climate resiliency. Environment and Natural Resources.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *456* OF 2023-2024.]

The Commonwealth of Massachusetts

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

An Act to facilitate climate resiliency.

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

SECTION 1. Section 18C(a) of Chapter 91 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out the word “section” and replacing it with the word “subsection”.

SECTION 2. Said section is hereby further amended by inserting after subsection (k) the following section: “(l) Notwithstanding any general or special law to the contrary, the department shall issue a general license authorizing publicly beneficial climate resiliency projects, as designated by a conservation commission, selectmen or mayor under MGL c.131 S. 40, that are nature-based and sustainably developed.”

SECTION 3. Section 40 of Chapter 131 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by adding in the first paragraph, prior to the word “electric”, the words “climate resiliency protection”.

SECTION 4. Said section, as so appearing, is hereby further amended in line 231 by inserting after the words “coastal engineering structures,” the following words:- “climate resiliency protection projects,”

SECTION 5. Said section is hereby further amended in line 270 by inserting the following after the word “therewithin”:- “In the case of a publicly beneficial climate resiliency project in support of flood control and storm damage prevention, where temporary or permanent loss of a resource area and/or the conversion of one resource area to another is necessary to the achievement of the project’s resiliency goals, such conditions shall not include a requirement to minimize or mitigate through replication the loss of resource areas. Projects designated by the conservation commission, selectmen, or mayor as publicly beneficial climate resiliency projects shall be nature-based and sustainably developed and, therefore, shall be eligible for a general permit under a procedure to be established by the Department paralleling that available for ecological restoration projects.”