

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Dylan A. Fernandes

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 authorizing the Massachusetts Department of Fish and Game to convey easements over certain parcels of land.

PETITION OF:

NAME:

Dylan A. Fernandes

DISTRICT/ADDRESS:

Plymouth and Barnstable

SENATE No.

By Mr. Fernandes, a petition (accompanied by bill) (subject to Joint Rule 12) of Dylan A. Fernandes for legislation to authorize the Massachusetts Department of Fish and Game to convey easements over certain parcels of land. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

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

An Act authorizing the Massachusetts Department of Fish and Game to convey easements over certain parcels of land.

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. (a) Notwithstanding any general or special law to the contrary, the Division
2 of Capital Asset Management and Maintenance, on behalf of the Department of Fish and Game,
3 may convey, amend, assign or otherwise transfer to Algonquin Gas Transmission, LLC a fifty
4 foot wide permanent right-of-way and easement for the purpose of constructing, maintaining,
5 and operating a pipeline or pipelines, together with any and all necessary or useful appurtenances
6 thereto, for the transmission of natural gas and all by-products thereof, and easements for
7 permanent access roads necessary to access such facilities, all of which fall outside of existing
8 Eversource easements and rights of ways under and through portions of the properties described
9 in Section 1.(b) currently held for fish and wildlife conservation, natural habitat protection, and
10 associated public recreation consistent with and subject to the purposes and protections of Article
11 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

12 (b) The easements and properties on which the portion of easements referenced in
13 Section 1.(a) may be granted are located within: Joint Base Cape Cod, Tax Parcel Number
14 44.0_50_0 and Tax Parcel Number 17.0_3_0, owned by the Commonwealth of Massachusetts
15 Department of Fish and Game, such easements and permanent access roads totaling 5.272 acres,
16 as more particularly shown on Sheets 1-5, and 17 of 17 of the plans entitled, “Area of Permanent
17 Easement & Temporary Workspace Commonwealth of Massachusetts,” Tracts G-31-MA-BA-
18 023 and G-32-MA-BA-001, prepared by Vanasse Hangen Brustlin, Inc. and dated August 1,
19 2025; and shown on Sheets 2, 3, 6, and 7 of 7 of the plans entitled, “Area of Permanent
20 Easement & Temporary Workspace Commonwealth of Massachusetts,” Tracts G-31-MA-BA-
21 025 and G-32-MA-BA-001.001, prepared by Vanasse Hangen Brustlin, Inc. and dated August 1,
22 2025.

23 SECTION 2. In consideration for the conveyance authorized in Section 1, and to ensure
24 no net loss of Article 97 land, the Department of Fish and Game is authorized to dedicate a
25 parcel of land of equal or greater natural resource value and acreage for fish and wildlife
26 conservation, natural habitat protection, and associated public recreation consistent with and
27 subject to the purposes and protections of Article 97 of the Amendments to the Constitution of
28 the Commonwealth of Massachusetts. The replacement land shall be conveyed by Algonquin
29 Gas Transmission, LLC to the Department of Fish and Game and shall consist of an approximate
30 7.00 acres portion of the land as shown on a plan entitled “Plan of Land Stop & Shop
31 Supermarket Company, LLC Bourne MA” dated May 20, 2026, prepared by Vanasse Hangen
32 Brustlin, Inc.

33 SECTION 3. (a) Notwithstanding any general or special law to the contrary, the Division
34 of Capital Asset Management and Maintenance, on behalf of the Department of Fish and Game,

35 may convey, amend, assign or otherwise transfer to Algonquin Gas Transmission, LLC a fifty
36 foot wide permanent right-of-way and easement for the purpose of constructing, maintaining,
37 and operating a pipeline or pipelines, together with any and all necessary or useful appurtenances
38 thereto, for the transmission of natural gas and all by-products thereof, and easements for
39 permanent access roads necessary to access such facilities, and temporary workspaces necessary
40 for the construction of such facilities, under and through portions of the properties all of which
41 fall within the existing Eversource easements and rights of ways under and through portions of
42 the properties described in Section 2.(b) currently held for fish and wildlife conservation, natural
43 habitat protection, and associated public recreation consistent with and subject to the purposes
44 and protections of Article 97 of the Amendments to the Constitution of the Commonwealth of
45 Massachusetts.

46 (b) The easements and properties on which the portion of easements referenced in
47 Section 2.(a) may be granted are located within: (i) Joint Base Cape Cod, Tax Parcel Number
48 44.0_50_0, and Tax Parcel Number 17.0_3_0, owned by the Commonwealth of Massachusetts
49 Department of Fish and Game, such easements, permanent access roads, and temporary
50 workspace as more particularly shown on the plans entitled, “Area of Permanent Easement &
51 Temporary Workspace Commonwealth of Massachusetts,” Tracts G-31-MA-BA-023 and G-32-
52 MA-BA-001, prepared by Vanasse Hangen Brustlin, Inc. and dated August 1, 2025; and shown
53 on the plans entitled, “Area of Permanent Easement & Temporary Workspace Commonwealth of
54 Massachusetts,” Tracts G-31-MA-BA-025 and G-32-MA-BA-001.001, prepared by Vanasse
55 Hangen Brustlin, Inc. and dated August 1, 2025; and (ii) Tax Parcel Number 10.0_7_0, owned
56 by the Commonwealth of Massachusetts Department of Fish and Game, such easements,
57 permanent access roads, and temporary workspace as more particularly shown on the plan

58 entitled, “Area of Permanent Easement & Temporary Workspace Commonwealth of
59 Massachusetts,” Tract G-31-MA-BA-007, prepared by Vanasse Hangen Brustlin, Inc. and dated
60 August 1, 2025.

61 SECTION 4. There shall be an independent appraisal, or appraisals, of the easements
62 described in Section 3 to be conveyed as authorized by this act to determine the full and fair
63 market value, or the value in use as proposed, based upon one or more professional appraisals as
64 commissioned by the commissioner of capital asset management and maintenance. In order to
65 expedite the conveyances authorized by this act, the commissioner may, in consultation with the
66 Department of Fish and Game, accept any appraisal or appraisals of these easements which may
67 have been conducted before the effective date of this act and which may have been accepted and
68 agreed to by the department. Algonquin Gas Transmission, LLC shall compensate the
69 Commonwealth in an amount greater than, or equal to, the full and fair market value, or the value
70 in use of these easements as proposed, whichever is greater, as determined by these independent
71 appraisals. Algonquin Gas Transmission, LLC shall assume all costs associated with any
72 engineering, surveys, appraisals, deed preparation and other expenses deemed necessary by the
73 commissioner of capital asset management and maintenance to execute the conveyances
74 authorized by this act. All money paid to the Commonwealth by Algonquin Gas Transmission,
75 LLC as a result of the conveyance of the easements authorized by this act shall be deposited in
76 the general fund of the Commonwealth.

77 The commissioner of capital asset management and maintenance shall submit these
78 appraisals and a report thereon to the inspector general for his review and comment. The
79 inspector general shall review and approve the appraisal or appraisals, and the review shall
80 include an examination of the methodology used for the appraisal or appraisals. The inspector

81 general shall prepare a report of his review and file the report with the commissioner for
82 submission by the commissioner to the house and senate committees on ways and means and the
83 chairmen of the joint committee on bonding, capital expenditures and state assets. The
84 commissioner shall submit copies of the appraisals, his report, and the inspector general review
85 and approval, and comments, if any, to the house and senate committees on ways and means and
86 the chairmen of the joint committee on bonding, capital expenditures and state assets before the
87 execution of the conveyances.

88 SECTION 5. This act shall take effect upon its passage.