

Acts (2018)

Chapter 209

AN ACT PROMOTING CLIMATE CHANGE ADAPTATION, ENVIRONMENTAL AND NATURAL RESOURCE PROTECTION, AND INVESTMENT IN RECREATIONAL ASSETS AND OPPORTUNITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide for climate change adaptation and the immediate preservation and improvement of the environmental and energy assets of the commonwealth, 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:

SECTION 1. To provide for a program of climate change adaptation and the preservation and improvement of the environmental and energy assets of the commonwealth, the sums set forth in this act, for the several purposes and subject to the conditions specified in this act, are hereby made available, subject to the laws regulating the disbursement of public funds, which sums shall be in addition to any other amounts previously made available for these

purposes; provided, however, that the amounts specified for a particular project may be adjusted to facilitate projects authorized in this act.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE Office of the Secretary

1100-3000.. For a program to provide grants and low-interest loans to owners or operators of a dispensing facility, as defined in section 1 of chapter 21J of the General Laws, that retails gasoline and other petroleum products, for the purpose of replacing and modernizing existing single-walled underground petroleum storage tank equipment and related leak detection equipment, and to reduce the risk of pollution from potential leakage; provided, that program grants and loans shall be made available for costs including, but not limited to, engineering, tank removal, construction and infrastructure replacement to install double-walled underground petroleum storage tank equipment and related leak detection equipment; provided further, that the installation of underground storage tank and leak inspection equipment funded under the program shall comply with applicable laws and regulations of the commonwealth and the federal government; provided further, that program grants and loans shall be made available only to small-business owners or operators of eligible dispensing facilities not located on land owned by the commonwealth; provided further, that priority for grants and loans under the program shall be given to eligible dispensing facilities that are located in a rural area; provided further, that the secretary of administration and finance shall make available the funds under this item to the Massachusetts Development Finance Agency to administer the grant and loan program; and provided further, that the Massachusetts Development Finance Agency, in consultation with the department of environmental protection, shall, not later than January 31, 2019, adopt standards to implement the program, including general guidelines and

requirements for owners and operators to apply for grants and loans and the criteria used to evaluate applications for grants and loans under the program..... \$2,000,000

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
Office of the Secretary

2000-7071.. For improvements and replacements to the infrastructure and holdings of the executive office of energy and environmental affairs and its departments and divisions; provided, that these improvements and replacements may include, but shall not be limited to, buildings, equipment, vehicles and communication and technology equipment; provided further, that the secretary of energy and environmental affairs may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan; provided further, that any expenditures for communication and technology equipment under this item shall be considered in consultation with the secretary of technology services and security; provided further, that not less than \$350,000 shall be expended for the conversion of 31 Plum Island boulevard to an emergency response facility in the town of Newbury; and provided further, that not less than \$800,000 shall be expended to implement a combined sewer overflow monitoring and notification system to protect public health and the environment, including the establishment of informational signage at combined sewer overflow outflows and public access locations along waterways and waterbodies considered affected and to provide grants to municipalities and publicly-owned water treatment facilities for the purpose of implementing or updating local combined sewer overflow monitoring and notification systems..... \$10,500,000

2000-7072.. For grant programs for land, soil, water and natural resource conservation; open space preservation; watershed remediation; coastal resource protection, including securing access to protected coastal lands and lands to provide for the inland migration of coastal habitats; recreation; environmental equity and wildlife and endangered species protection including, but not limited to, the local acquisition for natural diversity grant program, the parkland acquisition and renovation for communities grant program, conservation partnership grant programs, including programs to support landscape-scale land conservation projects, the drinking water supply protection grant program, grant programs to assist and provide funding to conservation districts, grants to support projects and initiatives that promote carbon sequestration and climate change resiliency through sustainable forestry and salt marsh restoration, including associated educational initiatives, and grants to support local, regional and state land use planning and management capabilities to advance smart growth efforts, all pursuant to rules or regulations adopted by the secretary of energy and environmental affairs to effectuate this item; provided, that the secretary of energy and environmental affairs may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan; provided further, that all projects shall provide appropriate public access as determined by the secretary; provided further, that not less than \$4,750,000 shall be expended for a flood management study of the Assawompset pond complex that is a part of the Taunton river watershed, in the towns of Freetown, Lakeville, Middleborough and Rochester and the city of New Bedford, including, but not limited to, an analysis of existing conditions and recommendations for flood management and mitigation, ecological sustainability and river flow improvements, and relating to the water flows of the Nemasket river into the Taunton river and related water storage and flooding issues of Assawompset and Long pond; provided further, that \$5,000,000 shall be expended for improvements to Fredericks park in the city of Revere; provided

further, that \$1,500,000 shall be expended for the installation of a high-efficiency irrigation system and the planting of native trees, shrubs, groundcover and restoration of the historic hedge row to promote water conservation, manage stormwater and reduce runoff at Tanglewood in the town of Lenox; provided further, that \$300,000 shall be expended for bog bridging and trail construction, rehabilitation and accessibility in Kennedy park in the town of Lenox; provided further, that \$100,000 shall be expended to construct a community garden in Mission Hill in the Roxbury section of the city of Boston; provided further, that \$400,000 shall be expended to the Great Barrington Land Conservancy, Inc. for improvements and upkeep of the W.E.B. DuBois river garden park and for improvements, upkeep and extension of the Housatonic river walk; provided further, that not less than \$1,000,000 shall be expended to the Sporting, Safety, Conservation, and Education Fund of Falmouth, Inc. for the design, permitting and restoration of the Child's River and Farley Bog in the towns of Falmouth and Mashpee; provided further, that not less than \$200,000 shall be expended for Mount Grace Land Conservation Trust to be used for continued preservation and protection of land by North Quabbin Regional Landscape Partnership; provided further, that not less than \$1,000,000 shall be expended for renovations and repairs to the Nashua River Embankment in the city of Leominster; provided further, that not less than \$300,000 shall be expended for green initiatives in the town of Orange to be managed by the Town's Green Community Committee; provided further, that not less than \$50,000 shall be expended for repair of the Margin Street Rotary Garden in city of Lawrence; provided further, that not less than \$100,000 shall be expended for a community garden network in the city of Lawrence; provided further, that not less than \$500,000 shall be expended for the maintenance and improvements, including the design and construction of recreational fields, pedestrian and bike paths and landscape and aesthetic improvements to the M. Joseph Manning Community Park in the town of Milton; provided further, that not less than \$300,000 shall be expended for improvements to mitigate storm surge damage and reduce siltation to the Freemans Pond culvert in the town of Brewster; provided further, that not less

than \$1,000,000 shall be expended for costs associated with improvements and restoration at Magazine Beach in the city of Cambridge; provided further, that not less than \$1,000,000 shall be expended for costs associated with improvements and restoration of Commissioner's Landing in the city of Boston; provided further, that not less than \$2,000,000 shall be expended for the dredging and conservation of Salisbury Pond at Institute Park in the city of Worcester; provided further, that not less than \$5,000,000 shall be expended for costs associated with design, improvements and restoration of the Charlesgate Park in the city of Boston; provided further, that not less than \$1,000,000 shall be expended on construction and restoration of East Chop Drive in Oak Bluffs; provided further, that not less than \$925,000 shall be expended to the town of Falmouth to design, engineer and permit upgraded drainage systems for the region of Woods Hole surrounded by Millfield street, Gardiner road and School street; provided further, that not less than \$450,000 shall be expended for improvements to the Bradford Rail Trail in the city of Haverhill; provided further, that not less than \$500,000 shall be expended for the maintenance and improvement of Newton Pond in the town of Boylston; provided further, that not less than \$1,500,000 be expended for the design and construction of a public safety boat house on Lake Quinsigamond in the city of Worcester; provided further, that not less than \$500,000 shall be expended for improvements to Ipswich River park in the town of North Reading; provided further, that not less than \$1,000,000 shall be expended for renovations and repairs to the Nashua River Embankment in the town of Clinton; provided further, that not less than \$200,000 shall be expended for improvements around Cook pond in the city of Fall River; provided further, that not less than \$300,000 shall be expended to Bay Coast Rowing Center, Inc. for the refurbishment and upgrade of an existing boat house building to house a community boating program in the city of Fall River; provided further, that \$1,000,000 shall be expended for the reconstruction of the Sandwich boardwalk providing access to Town Neck beach in the town of Sandwich; provided further, that not less than \$1,500,000 shall be expended to the Community Boating Center, Inc. for the

creation of a community boating center in the south end section of the city of New Bedford to provide financially-disadvantaged children with sailing, youth development and extracurricular opportunities; provided further, that not less than \$1,500,000 shall be expended to the Buzzards Bay Coalition, Inc. for the acquisition and conservation of Crow Island in the town of Fairhaven to provide open, public access to coastal space in New Bedford and Fairhaven Harbor through sailing, rowing, kayaking and other water-dependent activities; provided further, that not less than \$50,000 shall be expended to promote environmental initiatives in the Roxbury section of the city of Boston; provided further, that not less than \$300,000 shall be expended for the development and construction of a park and recreational area Warner's pond in the town of Concord; provided further, that not less than \$100,000 shall be expended for rehabilitation and signage on the Western Greenway trails in the city of Waltham; provided further, that not less than \$15,000 shall be expended for the installation of sand and gravel test wells for an irrigation well water conservation feasibility study at the high school and middle school athletic complex in the town of Weston; provided further, that not less than \$50,000 shall be expended for signage and other design efforts along the portion of the Massachusetts central rail trail in the town of Weston; provided further, that not less than \$500,000 shall be expended for the construction, renovation, improvement, maintenance and handicapped accessibility of Friendship park playground and Roberts field in the town of Chelmsford; provided further, that not less than \$1,500,000 shall be expended for dredging, safety and environmental improvements to Winter pond in the town of Winchester; provided further, that not less than \$1,750,000 shall be expended for trail signage, wayfinding, trail restoration and other improvements in the Middlesex Fells Reservation; provided further, that \$600,000 shall be expended to protect and preserve the shoreline and water quality of Crystal lake in the city of Newton; provided further, \$200,000 shall be expended for improvements around the Flax pond in the city of Lynn; provided further, that \$1,800,000 shall be expended for the procurement and installation of a high-efficiency irrigation system to promote water

conservation at the Gannon Municipal Golf Course in the city of Lynn; provided further, that not less than \$1,000,000 shall be expended for improvements to the Crystal Spring Trail, the Tedford Trail and the Cross Path and for upgrading traffic control and other improvements in the Greenwood Park area of the Middlesex Fells Reservation; provided further, that not less than \$1,000,000 shall be expended for the permitting, design and undertaking of dredging of Memorial pond in the town of Walpole; provided further, that not less than \$1,000,000 shall be expended for the study, design, permitting and undertaking of repairs, remediation, conservation and improvements to ponds, waterways, dams and watersheds in the town of Walpole; provided further, that not less than \$500,000 shall be expended for repairs to the Dr. John W. Coleman Greenergy park in the city of Beverly; provided further, that not less than \$300,000 shall be expended for the planning, design, construction and operation of a regional glass recycling and sorting facility in the town of Dennis; provided further, that not less than \$1,215,000 shall be expended for improvements to the Run pond culvert in the town of Yarmouth to improve tidal flushing and reduce nutrient influxes and algal blooms; provided further, that not less than \$500,000 shall be expended for the reconstruction of certain roads in the town of Holbrook; provided further, that not less than \$1,000,000 shall be expended for the development and implementation of an energy efficiency pilot program for the implementation of energy efficiency measures in the city of Taunton; provided further, that not less than \$1,000,000 shall be expended for the development and implementation of an energy efficiency pilot program for the implementation of energy efficiency measures at Bridgewater State University; provided further, that \$200,000 shall be expended for improvements to the glacial pothole overlook in the town of Shelburne; provided further, that not less than \$208,683 shall be expended for an infiltration basin in the woodland behind Cunningham school in the town of Milton; provided further, that not less than \$158,283 shall be expended for storm water improvements to the intersection of Adams and Pleasant streets in the town of Milton; provided further, that not less than \$700,000 shall be expended for recreational and capital facility improvements for the

state park at Fort Phoenix in the town of Fairhaven; provided further, that not less than \$280,000 shall be expended for recreational improvements for Brooklawn park in the north end of the city of New Bedford; provided further, that not less than \$330,000 shall be expended for improvements to East beach at East Rodney French boulevard in the city of New Bedford; provided further, that not less than \$1,000,000 shall be expended to complete phase 2 restorations at Hazelwood park in the south end section of the city of New Bedford which shall include, but not be limited to, the creation of new playground facilities for children, construction of a community amphitheater and upgrades to the historic Congdon-Lucas House; provided further, that not less than \$45,000 shall be expended for road improvements and the planning development and construction for signalization at the intersection of Central street and United States highway route 1 in the town of Rowley; provided further, that not less than \$250,000 shall be expended for road improvements and planning and development of Maple street on state highway route 62 in the town of Middleton; provided further, that not less than \$50,000 shall be expended for sidewalk accessibility improvements in the town of Sudbury; provided further, that not less than \$925,000 shall be expended for new sidewalk construction in the town of Bedford; provided further, that not less than \$115,000 shall be expended for roadside path repairs in the town of Lincoln; provided further, that not less than \$111,000 shall be expended for the study and construction of intersection improvements in the town of Lincoln; provided further, that not less than \$13,000 shall be expended for new sidewalk construction in the town of Lincoln; provided further, that not less than \$82,500 shall be expended for accessibility, informational, wayfinding and safety improvements to the commuter lot at Lincoln Station in the town of Lincoln; provided further, that \$500,000 shall be expended to study the environmental and noise impacts, potential methods to reduce the impacts and potential sources for mitigation of the interstate highway route 90 construction project along Storrow drive in the city of Boston and Memorial drive in the city of Cambridge; provided further, that not less than \$3,000,000 shall be expended on the planning and construction of a water transportation

facility at Lewis Mall in the East Boston section of the city of Boston; provided further, that not less than \$1,125,000 shall be expended for improvements on Elm street in the city of Gardner; provided further, that not less than \$1,500,000 be expended to the city of Peabody for demolition of the existing building and for the design, engineering and permitting of an upgraded drainage system for the parcel and its tributaries at 10 Lowell street; provided further, that not less than \$100,000 shall be expended to the Worcester Community Action Council, Inc. for soil remediation at its Head Start project site in the town of Webster; provided further, that not less than \$500,000 shall be expended to the town of Uxbridge for a soil remediation project in the South Uxbridge section; provided further, that not less than \$250,000 shall be expended for soil remediation at the Draper Mill Complex in the town of Hopedale; provided further, that not less than \$2,200,000 shall be expended for environmental remediation of property along the banks of the Merrimack river and the construction of Riverview park in the city of Lowell; provided further, that not less than \$750,000 shall be expended for environmental remediation of ash fill and reconstruction of the baseball field at O'Donnell park in the city of Lowell; provided further, that not less than \$1,250,000 shall be expended for environmental testing and potential remediation of hazardous materials at the Lowell high school construction site based on the hazardous materials survey performed in fall 2016 by Universal Environmental Consultants; provided further, that not less than \$500,000 shall be expended to fund professional services associated with the mitigation of contaminated needles in the public way; provided further, that not less than \$1,000,000 shall be expended for developing and implementing a grant program to improve the quality and quantity of waste diversion in gateway cities; provided further, that grants of financial assistance issued under the grant program shall include, but not be limited to, efforts to promote appropriate waste diversion practices via print materials, conventional and electronic media advertising and outreach efforts to residents of gateway cities; provided further, that not less than \$300,000 shall be expended to fund construction, maintenance and improvements to a mattress recycling facility operated by UTEC, a youth services nonprofit organization in

the city of Lowell; provided further, that \$100,000 shall be expended to construct a community garden in Mission Hill in the Roxbury section of the city of Boston; provided further, that \$100,000 shall be expended for drainage pipe improvements on Stoddard place in the town of North Brookfield; provided further, that \$25,000 shall be expended for improvements to Turkey Hill pond in the town of Rutland; provided further, that \$25,000 shall be expended for improvements to Demond Hill pond in the town of Rutland; provided further, that \$120,000 shall be expended for improvements to O'Gara park in the town of Spencer including, but not limited to, the construction of a field house and improvements to the grandstand; provided further, that \$10,000 shall be expended for improvements to Powder Mill park in the town of Spencer; provided further, that \$5,000 shall be expended for improvements to Luther Hill park in the town of Spencer; and provided further, that \$50,000 shall be expended for a study by the department of energy resources on the feasibility, administration, grid-resiliency benefits, peak-shaving benefits and economic impact of a mobile battery storage system.....

\$225,000,000

2000-7073.. For the design, construction, reconstruction, rehabilitation, retrofitting, repair or removal of coastal infrastructure and resiliency measures, including, but not limited to, seawalls, jetties, revetments, retaining walls, beach nourishment, living shorelines and other nature-based solutions, which are defined as strategies that conserve, restore and employ the natural resources of the commonwealth to enhance climate adaptation, build resilience and support mitigation; provided, that costs payable from this item may include, but shall not be limited to, the costs of engineering and other technical assistance and planning services essential to these projects rendered by the office of coastal zone management in the executive office of energy and environmental affairs, the office of waterways in the department of conservation and recreation and other commonwealth employees or consultants; provided further, that grants and loans may be made to local government units to carry out this item; provided further, that funds may be used on lands held by

municipal, county, state or federal agencies or other governmental bodies, on lands held by nonprofit conservation organizations or on private lands with the consent of the owner and subject to covenants that assure the continued presence and effectiveness of such projects for the expected life of the projects; provided further, that the use of such funds by county and municipal governmental bodies on lands held by nonprofit conservation organizations, or on private lands, shall require, in a county, a vote of the county commissioners, in a city having a Plan D or Plan E charter, by the affirmative vote of a majority of all the members of the city council, in a city not having such a charter, by vote of the city council, subject to the charter of that city and in a town, by a majority vote of the selectboard; provided further, that the secretary of energy and environmental affairs may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan; provided further, that not less than \$130,000 shall be expended for an emergency operations center in the town of Wareham to assist with climate response and resiliency; provided further, that \$4,000,000 shall be expended to repair and replace the failing seawall along Winthrop parkway in the city of Revere; provided further, that not less than \$1,500,000 shall be expended to the town of Duxbury for costs associated with coastal infrastructure improvements; provided further, that not less than \$200,000 shall be expended to the city of Salem for costs associated with coastal remediation and resiliency and seawall repair; provided further, that \$1,000,000 shall be allocated to the Marine Biological Laboratory for the restoration of the seawall located at Waterfront park in the town of Falmouth; provided further, that not less than \$150,000 shall be expended for seawall restorations at Apponagansett park in the town of Dartmouth; provided further, that not less than \$660,000 shall be expended per year for the Massachusetts Bays National Estuary Program for the purposes of implementing a comprehensive plan for coastal habitat protection and restoration related to coastal resilience; provided further that not less than \$1,000,000 shall be expended to the city known as the town of

Weymouth for costs associated with coastal infrastructure improvements, beach nourishment and natural solutions at George Lane Beach and Wessagusset Beach; provided further, that not less than \$50,000 shall be expended to the city of Methuen for a stormwater management plan; provided further, that not less than \$500,000 shall be expended to purchase a vacuum excavator for the purposes of cleaning drains and culverts in the town of Saugus; provided further, that not less than \$2,500,000 shall be expended for planning development and construction to the Long beach sea wall in the town of Rockport; provided further, that not less than \$1,000,000 shall be expended for coastal infrastructure repair in town of Nahant; provided further, that not less than \$1,000,000 shall be expended for coastal infrastructure repair in the town of Swampscott; provided further, that not less than \$350,000 shall be expended for coastal infrastructure repair in the town of Marblehead; provided further, that \$500,000 shall be expended for planning and infrastructure improvements to mitigate flooding issues at Lewis Wharf in the North End section of the city of Boston; provided further, that not less than \$500,000 shall be expended for the renovation and improvement of the retaining seawall at Grandview avenue in the town of Winthrop; provided further, that not less than \$1,000,000 shall be allocated to the town of Plymouth for seawall and revetment work at Long beach; provided further, that not less than \$1,000,000 shall be allocated to the town of Plymouth for cobble nourishment at Long beach; provided further, that not less than \$1,300,000 shall be expended for study, design and construction of methods for storm relief and marsh restoration and to provide residents egress during significant flooding events in the Commerce road area in the town of Barnstable; provided further, that not less than \$1,400,000 shall be expended for the replacement and improvement of the culvert at Snow's Creek to provide storm relief and marsh restoration and for the installation of a sidewalk on the south side of Ocean street in the culvert vicinity and construction of safety railings in the town of Barnstable; provided further, that not less than \$400,000 shall be expended for construction costs associated with hydraulic dredging and beach nourishment at town owned beaches in the town of Chatham; provided further, that

not less than \$250,000 shall be expended for flood water drainage and tide gate analysis and replacement at various locations in the town of Chatham; provided further, that not less than \$35,000 shall be expended for a climate resiliency study at Beach point in the town of Truro; provided further, that not less than \$500,000 to fund the planning, engineering design, permitting and other bid-phase expenses for the repairs to the East Harbor culvert and surrounding infrastructure in the town of Truro; provided further, that not less than \$150,000 shall be expended for survey, design, engineering, materials estimating and permitting of the enhancement of shoreline protection and other measures necessary to protect vulnerable roadway and utilities infrastructure along state highway route 6A and Snail road in the town of Provincetown; provided further, that not less than \$1,500,000 shall be expended for the construction, purchase or repair of seawalls, jetties and wave attenuation devices in the town of Marshfield; provided further, that not less than \$1,500,000 shall be expended for the construction, purchase or repair of seawalls, jetties and wave attenuation devices in the town of Scituate; provided further, that not less than \$1,500,000 shall be expended for the construction, purchase or repair of seawalls, jetties and wave attenuation devices in the town of Hull; provided further, that not less than \$1,000,000 shall be expended for shoreline and park restoration at Blessing of the Bay park in the city of Somerville; provided further, that not less than \$250,000 shall be expended to mitigate the impacts of ocean erosion in the town of Gosnold; provided further, that not less than \$200,000 shall be expended for the town of Nantucket to draft and create a coastal resiliency plan; provided further, that \$300,000 shall be expended for a study to determine solutions to flooding issues in the Riverside, Point of Pines and Beachmont sections of the city of Revere; provided further, that not less than \$200,000 shall be expended to implement the findings of the study; provided further, that not less than \$1,000,000 shall be expended for public safety measures to support and mitigate the impacts of the proposed Massachusetts Water Resources Authority fishing pier at Deer island; provided further, that not less than \$75,000 shall be expended for salt-tolerant plantings in waterfront parks in East Boston section of the city

of Boston; provided further, that not less than \$1,000,000 shall be expended for repair of the Fisherman beach boat house, beach pier, outfall and launching ramp in the town of Swampscott; provided further, that not less than \$50,000 shall be expended for the purpose of the restoration of dunes and sediment containment at Blish Point in the town of Barnstable; and provided further, that \$15,000,000 shall be expended for the hydraulic modeling, analysis and evaluation of flooding vulnerabilities and the design, permitting and construction of upgrades to coastal infrastructure to mitigate coastal flooding in the town of Winthrop, including, but not limited to, seawall construction and repair, upgrades and improvements to flood drainage infrastructure and increasing flood storage.....

\$100,000,000

2000-7074.. For the design, construction, reconstruction, rehabilitation, retrofitting, repair or removal of municipally-owned dams, publicly owned dams and other dams for which emergency action or statewide hazard mitigation is required and for inland flood control projects and projects for related facilities and equipment including, but not limited to, seawalls, jetties, revetments, retaining walls, beach nourishment and other nature-based solutions on publicly-owned land or related to state or municipal climate change adaptation and preparedness or for which emergency action or statewide hazard mitigation is required; provided, that the secretary of energy and environmental affairs shall give priority to dams and flood control projects that pose the greatest risk to public health or safety or to the environment; provided further, that funds shall be available for a program of planning, permitting and construction of fish ways and other aquatic habitat improvements, including the removal or breaching of selected dams and impoundments on state-owned land and waterways; provided further, that the secretary may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan; provided further, that not less than \$1,000,000 shall be expended for renovations and repairs to the

Allen Pond dam in the town of Walpole; provided further, that not less than \$1,000,000 shall be expended for renovations and repairs to the Colburn dam in the city of Leominster; provided further, that not less than \$1,000,000 shall be expended for improvements to the Armory Street section of Van Horn dam in the city of Springfield; provided further, that not less than \$1,000,000 shall be expended for renovations and repairs to the Tileston and Hollingsworth dam located in the Hyde Park section of the city of Boston; provided further, that not less than \$200,000 shall be expended for repairs to the Williamsville Pond dam in the town of Hubbardston; provided further, that not less than \$400,000 shall be expended for the engineering and construction costs for the restoration of the Herring Run retaining walls in the town of Brewster; provided further, that not less than \$1,000,000 shall be expended for renovations and repairs to the Reservoir Pond dam, located on Pleasant Street in the town of Canton; provided further, that not less than \$1,000,000 shall be expended for the costs associated with the replacement of the Factory Pond dam in the town of Holliston; provided further, than not less than \$1,000,000 shall be expended for rehabilitation of the Willett Pond dam in the town of Norwood; provided further, that \$800,000 shall be expended to replace the Waite Pond dam in the town of Leicester; provided further, \$657,500 shall be expended for dam repairs in the town of Upton; provided further, that \$250,000 shall be provided to the city of Pittsfield for repairs to the Wild Acres dam; provided further, that \$500,000 shall be provided to the town of Ashfield for mitigation of the Ashfield Lake dam; provided further, that \$1,000,000 shall be expended for culvert upgrades to reduce flooding and increase coastal resiliency in the Ring's Island area and Ferry and March roads in the town of Salisbury; provided further, that \$500,000 shall be expended for the removal of the Jones river dam in the town of Kingston; provided further, that \$2,500,000 shall be expended on dams in the city of Springfield; provided further, that not less than \$200,000 shall be expended for costs associated with repairs to the Greenough dam in the town of Carlisle; provided further, that not less than \$500,000 shall be expended for the design and construction of a pump house system for distributing aluminum sulfate in Monponsett pond in the town of

Halifax; provided further, that not less than \$1,980,000 shall be expended to improve the structural integrity and safety of the Hobart Pond dam and Harding Pond dam in the town of Whitman; provided further, that not less than \$1,500,000 shall be expended to prepare a master plan for dam improvements, invasive plant control, dredging the lakes, construction, repaving roads and highway lights at D.W. Field park in the city of Brockton; provided further, that not less than \$2,000,000 shall be expended for storm resiliency efforts in the city of Quincy, including sea wall repair and the dredging of brooks, rivers and creeks for flood storage capacity; provided further, that not less than \$500,000 shall be expended for the management and improvement of Studley's pond dam in the town of Rockland; provided further, that \$300,000 shall be expended for engineering, improvements and repairs to the Hamilton Reservoir dam in the town of Holland; provided further, that \$200,000 shall be expended for improvements to the Queen Lake dam in the town of Phillipston; provided further, that not less than \$100,000 shall be expended for the repair, design, permitting and construction of the Leverett Pond dam in the town of Leverett; provided further, that not less than \$1,250,000 shall be expended for infrastructure and improvements at Green River and the Wiley-Russell Dam in the town of Greenfield; and provided further, that projects shall be considered in consultation with the municipality hosting the asset to be repaired and those municipalities impacted by the project..... \$85,000,000

2000-7075.. For the acquisition of land and interests in land by the executive office of energy and environmental affairs and its departments and divisions and for associated costs, including planning, study, due diligence, title and appraisal services, site restoration, monitoring and stewardship, including, but not limited to, acquisitions for open space, recreation, conservation, wildlife and endangered species protection, forest land protection and for related costs and activities in support of conservation goals, including, but not limited to, capitalization of the Transfer of Development Rights Revolving Fund established under section 35HHH of chapter 10 of the General Laws; provided, that funds under this item may be used to

develop and implement a stewardship program on lands under the care and control of the executive office or its departments and divisions or subject to conservation restrictions or other related interests in land purchased through this item, including, but not limited to, resource and land use monitoring, signage, boundary delineation and monitoring, preparation of baseline documentation, stewardship planning, ecological monitoring and enforcement of conservation or other related restrictions or detection and resolution of encroachments on land and rights in land, and repair of damage to property related to illegal uses, including off-road vehicle trespass; provided further, that funds may be used for inventory, restoration and reclamation of acquired land, including demolition of structures, removal of debris, eradication of non-native species and other services essential to these reclamation efforts; provided further, that the secretary of energy and environmental affairs may provide guidance for preservation, maintenance, and acquisition of land and interests in land in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan and may expend funds under this item for those purposes; provided further, that projects shall be considered in consultation with the municipality hosting the asset to be repaired and those municipalities impacted by the project; provided further, \$100,000 shall be expended for invasive aquatic plant species eradication in Lake Quinsigamond in the towns of Grafton and Shrewsbury and the city of Worcester; and provided further, that not less than \$500,000 shall be expended for invasive species mitigation in the city of Northampton; and provided further, that not less than \$1,000,000 shall be expended for the acquisition of an old rail bed for the extension of the Bruce Freeman Trail into Framingham..... \$32,000,000

Department of Environmental Protection

2200-7022.. For investment in water and air quality protection including, but not limited to, investments necessary to meet the legislative and regulatory requirements of the Rivers Protection Act, the federal and state Clean Water Acts and the Massachusetts

Wetlands Protection Act and to provide for integrated energy and environmental projects to optimize and preserve environmental quality and public health and provide for appropriate protection, restoration, management and best use of air, energy, water and land resources, assets and infrastructure, including upgrades to laboratory equipment, and to provide for research, studies and the collection of data to support investment in environmental assets, including sampling and analysis of water and air quality, monitoring cumulative environmental impacts in environmental justice communities, the development of geographic information system maps for wetlands conservancy and tidelands, stormwater infrastructure and public water supplies, the development of water quality analyses known as total maximum daily loads, the assessment of water quality health and impaired use of waterways and projects related to nonpoint and point sources of water pollution and the wetlands circuit rider program, and to provide for local grants and research for implementation of the commonwealth's sustainable water management initiative, including grants and research to provide the data necessary for municipalities to invest in efficient and effective mitigation practices to restore and preserve the commonwealth's water resources, assets and infrastructure, and to provide for sustainable water management initiative related research and implementation projects conducted by the department of fish and game and its divisions, and to provide for the department's statewide air monitoring network, upgrades of air monitoring equipment to comply with federal requirements, implementation of a water quality monitoring network and eelgrass mapping to track water quality improvements, and to provide for investments in water quality restoration of degraded estuarine habitat for projects deemed consistent with a current area-wide water resources management plan adopted under section 208 of the federal Clean Water Act, 33 U.S.C. section 1288, and to fund pilot projects that test innovative and green wastewater management technologies and approaches, and for sustainable technologies at wastewater treatment facilities, for long-term monitoring and stewardship of restoration projects developed under the oversight of natural resources damages trustees, and to provide grants and technical assistance to

public water suppliers for energy efficiency improvements for drinking water systems, and to provide for municipal grants for water and air quality protection, including to support training and workforce development for drinking water and wastewater treatment facilities, and to support the preparation and implementation of geographic response plans for the commonwealth's inland waterways, and to provide grants to municipalities to support compliance with the federal municipal separate storm sewer system permit; provided, that the secretary of energy and environmental affairs may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan; provided further, that not less than \$250,000 shall be expended for the Nash Road Water Quality Improvement project in the city of New Bedford for the weed eradication, mitigation of stormwater impacts and refurbishment of frontage at Nash road pond; provided further, that not less than \$550,000 shall be expended for the Lake Street Ponds Water Quality Improvement project located in the town of Acushnet, part of the New Bedford reservoir system, for area-specific evaluation, nitrogen mitigation, evaluation of storm water impacts and weed eradication; provided further, that not less than \$1,000,000 shall be expended for water quality treatment and natural resource area improvements and enhancements in the town of Medway; provided further, that not less than \$150,000 shall be expended for weed eradication on Lake Singletary in the towns of Sutton and Millbury; provided further, that not less than \$1,000,000 shall be expended to increase the sewer main capacity in the town of Hopkinton; provided further, that not less than \$1,000,000 shall be expended for the replacement of equipment at the Springvale water treatment facility in the town of Natick; provided further, \$732,500 shall be expended on the Westboro road, state highway route 30, sewer extension project in the town of Grafton; provided further, that not less than \$3,000,000 shall be expended for design, planning and preconstruction of a new water transmission main connecting the Massachusetts Water Resources Authority's Arlington transmission main line with the town of Burlington;

provided further, that not less than \$750,000 shall be expended for coastal shoreline stabilization, polychlorinated biphenyls, or PCB, removal and storm surge protection of the Newburyport Clipper City Rail Trail for redesign and construction along the Merrimack river; provided further, that not less than \$50,000 shall be expended to the town of Sherborn to conduct an environmental impact study and related engineering at the intersection of Coolidge street and Speen street; provided further, that not less than \$6,000,000 shall be expended for a smart sewer project in the town of Littleton; provided further, that not less than \$2,000,000 shall be expended for resurfacing, recoating and structural rehabilitation of all tank wells to maintain the water treatment facility to provide safe drinking water for the city of Brockton and the towns of Hanson and Whitman from Silver lake in the town of Kingston; provided further, that not less than \$600,000 shall be expended for the installation of a cogeneration heating and cooling system in the Beede Swim and Fitness Center in the town of Concord; provided further, that not less than \$100,000 shall be expended for wetlands reclamation on the Fernald property in the city of Waltham; provided further, that not less than \$1,000,000 shall be expended to design and permit a sewer on United States highway route 20 in the town of Sudbury; provided further, that \$4,000,000 shall be expended for removing hazardous materials and debris, demolition and redevelopment, sediment soil excavation and removal and post-remediation groundwater monitoring of the former Attleboro Dyeing and Finishing Corp. site, including the dam, sluiceway and industrial settling ponds that abut the Ten-Mile river at 37 Maple avenue in the town of Seekonk; provided further, that not less than \$300,000 shall be expended for the relocation and replacement of the wastewater leach field at Nashoba regional high school in the town of Bolton; provided further, that not less than \$1,000,000 shall be expended for sewerage development at Sholan Farms in the city of Leominster; provided further, that not less than \$350,000 shall be expended for the installation of a solar panel roof array in the town of Berlin; provided further, that not less than \$1,000,000 shall be expended for the construction of a water treatment plant in the town of Topsfield; provided further, that not less than

\$1,000,000 shall be expended for wastewater treatment upgrades in the city of Taunton; provided further, that not less than \$100,000 shall be expended for the removal of the pump house at the Lower Mill Pond in the city of Easthampton; provided further, that for municipalities in the Buzzards Bay embayment, not less than \$2,000,000 shall be expended for wastewater treatment upgrades or resiliency enhancements to associated lagoon treatment systems; provided further, that not less than \$500,000 shall be expended for the design and construction of the Southeastern Massachusetts Bioreserve Education and Discovery Center; provided further, that not less than \$500,000 shall be expended for the restoration of the Miles River which runs through the towns of Hamilton, Ipswich and Wenham and the city of Beverly; provided further, that not less \$775,000 shall be expended for the replacement of the Town Wharf Sewer Pumping Station in the town of Ipswich; provided further, that not less than \$480,000 shall be expended for improvements to culverts along Topsfield Road in the town of Wenham; provided further, that not less than \$250,000 be expended for environmental abatement of soil contamination and asbestos removal at the Town Hall in the Town of Topsfield; provided further, that not less than \$1,000,000 shall be expended for planning and engineering costs related to the DHY Clean Waters Community Partnership, an inter-municipal partnership between the towns of Dennis, Harwich and Yarmouth, toward the reduction of nitrogen and improvement of water quality in the Bass River watershed and associated waterways; provided further, that not less than \$1,000,000 shall be expended for the Long Pond Water Quality and Invasive Weed Management project, located in the towns of Freetown and Lakeville, for support of an integrated, early detection and rapid response system for invasive species and completion of a strategic management plan for invasive species; provided further, that not less than \$1,000,000 shall be expended for storm surge protection, drainage and sewer infrastructure upgrades and stormwater retention in the city of Newburyport; provided further, that not less than \$2,000,000 shall be expended for the purposes of evaluating the efficacy of adaptive management measures to reduce nitrogen pollution of coastal waterways undertaken pursuant to an

approved area-wide water quality plan, funding the Center for Coastal Studies to monitor and report on the water quality of areas subject to said study and supporting further assessment and water quality modeling to further refine said study; provided further, that not less than \$1,000,000 shall be expended for the planning, design, construction and other associated costs for drainage improvements along Route 9 adjacent to Boulder Brook and Morses Pond in the town of Wellesley; provided further, that not less than \$2,000,000 shall be expended for drinking water treatment in the town of Holliston; provided further, that not less than \$125,000 shall be expended to reduce the risk of wetland contamination from the Flint Road Landfill in the town of Charlton; provided further, that \$5,000,000 shall be expended for repairs and improvements to culverts, and to improve drainage along Route 57 in the towns of Sandisfield, Monterey and New Marlborough; provided further, that not less than \$600,000 shall be expended for engineering, planning, construction and related infrastructure for storm water drainage management at Westfield-Barnes Regional Airport; provided further, that not less than \$400,000 shall be expended for drainage pipe and structural repairs on Cayuga street in the town of Tewksbury; provided further, that \$5,000,000 shall be expended for water infrastructure improvements in the town of Hardwick; provided further, that \$2,000,000 shall be expended for water and sewer improvements in the town of Palmer including, but not limited to, the replacement of a sewer siphon, a generator and expansion of the Palmer sewer system, installation of a centrifuge at the Palmer wastewater treatment plant, replacement of a scum concentrator and the replacement of grinder pumps on Lake Thompson; provided further, that \$2,000,000 shall be expended for extensions to the public water line in the town of Sturbridge; provided further, that \$15,000 shall be expended for the construction of a new well to provide drinking water for the town hall in the town of Phillipston; provided further, that not less than \$1,500,000 shall be expended to the town of Millville for water infrastructure improvements in the neighborhoods abutting Kempton road; provided further, that not less than \$1,000,000 shall be expended on water infrastructure improvements to increase the reliable water

supply in the town of the Mendon; provided further, that \$1,000,000 shall be expended for improvements to the wastewater treatment facility in the town of Southbridge; provided further, that \$250,000 shall be expended to the town of Dudley for the expansion of a water main line to the town of Southbridge; provided further, that not less than \$150,000 shall be expended for drainage and other town common improvements in the town of Royalston; provided further, that not less than \$1,000,000 shall be expended for water and sewer improvements in the town of Colrain; provided further, that not less than \$1,000,000 shall be expended for planning, design and infrastructure improvements for wastewater treatment facilities in the city of Northampton; and provided further, that not less than \$1,000,000 shall be expended for planning, design and infrastructure improvements for drinking water systems in the city of Northampton..... \$150,000,000

2200-7024.. For discovery, assessment, containment, monitoring, cleanup and closure of existing or closed solid waste facilities causing or threatening to cause pollution as authorized by section 4 of chapter 21H of the General Laws, and for capital expenditure associated with composting and recycling programs consistent with the comprehensive statewide solid waste master plan authorized by section 21 of chapter 16 of the General Laws; provided, that not less than \$1,000,000 shall be expended for the costs associated with the expansion of the Beaver street recycling center in the city known as the town of Franklin; and provided further, that not less than \$400,000 shall be expended to repair town-owned property at Lead Mills in the town of Marblehead to prevent erosion of a landfill cap..... \$9,000,000

2200-7016.. For the assessment, containment, monitoring, cleanup, control, removal of or response actions concerning oil or hazardous materials or for any other action necessary to implement chapter 21E of the General Laws and the Massachusetts Contingency Plan; provided, that not less than \$1,000,000 shall be expended for the removal of hazardous materials and drainage improvements to the old Dalton High School site in the town of Dalton; provided further, that

not less than \$1,000,000 shall be expended for the remediation, restoration and removal of hazardous materials at the old New England Log Homes site in the town of Great Barrington; provided further, that \$500,000 shall be expended for the Coastal Metals Brownfields Site Cleanup, the closure of the landfill and the Bear Hill Culvert replacement and water infrastructure improvements in the town of Merrimac; provided further, that \$500,000 shall be expended for the demolition of the former Microfab building in the city known as the town of Amesbury; provided further, that \$2,000,000 shall be expended to install a backup generator to the Greater Lawrence Sanitary District's Riverside Pump Station to prevent the spill of untreated sewerage into the Merrimack river in cases of long-term power outages; provided further, that \$400,000 shall be expended for the repair of town-owned property at Lead Mills in the town of Marblehead to prevent the erosion of a landfill cap; provided further, that not less than \$100,000 shall be expended for the cleanup and removal of hazardous materials at parking garages in the town of Sudbury; and provided further, that not less than \$1,000,000 shall be expended for an oil spill cleanup at a developable site in the town of Sutton..... \$45,000,000

Department of Fish and Game

2300-0421.. For the acquisition of land and interests in land by the department of fish and game and for associated costs, including planning, studies, due diligence, title and appraisal services, site restoration and stewardship; provided, that such lands may be purchased after approval by the commissioner of fish and game; provided further, that funds may be expended on the development and implementation of a stewardship program on lands under the care and control of the department of fish and game and its divisions, either in rights in land or through conservation easements or conservation restrictions including, but not limited to, resource and land use monitoring, baseline documentation report creation, signage, boundary marking and monitoring, stewardship planning, stewardship personnel, stewardship database development, ecological monitoring and enforcement of conservation easements or conservation

restrictions or detection and resolution of encroachments on land owned and rights in land and repair of damage related to illegal off-road vehicle trespass; provided further, that funds may be used for inventory, restoration and reclamation of acquired land, including demolition of structures, removal of debris, eradication of nonnative species and other services essential to these reclamation efforts; provided further, that projects under such program may be carried out with other governmental agencies and entities, nonprofit and conservation organizations and public and private land owners; and provided further, that funds shall be expended for the Fishing Innovation Fund established in chapter 10 of the General Laws..... \$30,000,000

2300-7019.. For planning, design, engineering, construction, reconstruction, renovation, repair, demolition, acquisition, enhancements, improvements, removal and replacement of the infrastructure, facilities and equipment under the care and control of the department of fish and game and its divisions, including, but not limited to, buildings and other structures, education centers, district headquarters, hatchery facilities, offices, storage buildings, shooting ranges, archery facilities, dams, laboratories, equipment, vehicles, vessels and site clearance; provided, that any such facilities supported by this item may incorporate energy efficiency and renewable technologies to decrease energy use and greenhouse gas emissions, such as solar, wind and geothermal power; provided further, that funds shall also be available for investments for protection, remediation and restoration of aquatic and marine fisheries, wildlife species, land and marine plants and the habitats that support them; and provided further, that the secretary of energy and environmental affairs may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan; provided further, that \$30,000 shall be expended to conduct a feasibility study on the eradication of zebra mussels at Laurel lake in the town of Lee; provided further, that not less than \$250,000 shall be expended for the demolition of the

boat ramp at Lakeside Avenue on Lake
 Chargoggagoggmanchauggagoggchaubunagungamaugg in the town of
 Webster, and for the conversion of the property and parking area into a
 public recreational park; and provided further, that \$800,000 shall be
 expended for the reconstruction, improvements and to upgrade access
 to the boat ramp, parking lot and shore fishing facility at Laurel lake
 in the town of Lee..... \$50,000,000

2300-7022.. For river and wetland restoration programs in the division
 of ecological restoration, the riverways program and the office of the
 commissioner of fish and game; provided, that funds authorized by
 this item may be utilized for river, wetland and river corridor
 revitalization, ecological restoration and protection of aquatic
 ecosystems and functions throughout the commonwealth including,
 but not limited to, dam and barrier removal, instream improvements,
 flow, water quality, riverine habitat, protection of high quality riparian
 and wetland habitat, assessment and mitigation of threats from climate
 change, flooding and improving recreational opportunities; provided
 further, that these costs may include, but shall not be limited to,
 equipment to implement these programs; provided further, that the
 commissioner or a designee may enter into cooperative agreements
 with state and federal government agencies and municipalities, may
 contract for services related to this item including, but not limited to,
 engineering and monitoring and may award grants to public and
 nonpublic entities to foster and carry out this item; provided further,
 that \$131,000 shall be expended for a feasibility study for a salt marsh
 restoration project at 0, 69, 73 and 77 Mashnee road and 88 Rocky
 Point road in the town of Bourne; provided further, that not less than
 \$500,000 shall be expended for habitat restoration along the
 Monatiquot river in the city known as the town of Braintree; provided
 further, that not less than \$250,000 shall be expended for the
 Merrimack Valley river project for the purchase of a boat skimmer to
 clean the Merrimack river; and provided further, that not less than
 \$30,000 shall be expended for drainage improvements needed to
 protect the Goldthwait Reservation Salt Marsh in the town of
 Marblehead..... \$55,000,000

Department of Agricultural Resources

2500-7021.. For the purpose of developing and implementing programs designed to address agricultural economic and environmental sustainability, including the development and implementation of farm viability plans and other technical and engineering assistance, urban agriculture, including hydroponics, research, industry promotion, technology transfer and education and to facilitate improvements to agricultural infrastructure, energy conservation and efficiency and climate change adaptation and resiliency; provided, that \$4,000,000 shall be expended on programs to promote urban agriculture and hydroponics, including grants to municipalities and nonprofit organizations to acquire land for urban agriculture and for related infrastructure, equipment and technical assistance, provided, that such expenditures benefit recipient communities by promoting community, access to locally grown food, job creation, small business development, agricultural training and youth development; provided further, that funds shall be available to provide for short-term land covenants; provided further, that a grant program shall be established to provide grants to public and nonpublic entities for the development and implementation of new procedures for energy conservation and efficiency and for renewable and alternative energy sources to assist the agricultural community to grow and develop; provided further, that funds shall be available for a program to assist in the preservation and rehabilitation of facilities and land resources of agricultural fairs through short-term preservation covenants, grants, demonstration projects and other means; provided further, that funds may be expended for infrastructure and equipment upgrades to prevent or reduce food safety risk, programs to control invasive species and provide pesticide disposal, and programs to support aquaculture, dairy digesters and agricultural composters; provided further, that funds may be expended for the agricultural environmental enhancement program on the abatement of all forms of pollution generated from agricultural activities; provided further, that funds may be allocated by the commissioner through competitive grants pursuant to rules or regulations adopted by the commissioner to

implement this item; provided further, that \$5,000,000 be expended for the purposes of the University of Massachusetts Cranberry Station in the East Wareham section of the town of Wareham for the design, construction, retrofitting and outfitting of enhanced laboratory space, including associated equipment and support to improve research performed by the station dealing with concerns including, but not limited to: (i) water quality and quantity; (ii) integrated pest management; and (iii) pollinator health and minimization of nutrient and pesticide use with the goal to reduce environmental impacts and to enhance the sustainability of cranberry production in the commonwealth; provided further, that such funds may be carried over from year to year with subsequent appropriations; provided further, that use of such funds shall be done with the advice and consent of the advisory board of the Cranberry Health Research Center at the University of Massachusetts; provided further, that not less than \$50,000 shall be expended for the development and support of farmer's markets; provided further, that not less than \$1,000,000 shall be expended for the establishment of a Massachusetts center for clean energy innovation at the University of Massachusetts at Lowell to provide a platform for evaluating technologies, bolstering new companies and fostering cutting-edge research; provided further, that not less than \$300,000 shall be expended, in consultation with the department of agricultural resources and division of marine fisheries, for the Southeastern Massachusetts Aquaculture Center at Barnstable County Cooperative Extension, the Northeastern Massachusetts Aquaculture Center at Salem State College and the Western Massachusetts Center for Sustainable Aquaculture at the University of Massachusetts at Amherst; provided further, that not less than \$3,000,000 shall be expended for the creation and development of an eastern regional center for urban sustainability at Bristol county agricultural high school in the town of Dighton; provided further, that not less than \$700,000 shall be expended for structural improvements to the Old Shepard dam in order to manage initial repair and longer-term maintenance to maintain typical historical pool elevations; provided further, that not less than \$1,000,000 shall be expended for the establishment of an energy storage innovation institute at the

Massachusetts clean energy center to promote energy storage innovation in the commonwealth; provided further, that not less than \$300,000 shall be expended for the greenhouse and farming initiatives at the Fowler-Clark farm in the Mattapan section of the city of Boston; provided further, that not less than \$500,000 shall be expended for research and pre-commercialization activities to develop electrolyte and separator materials that have the potential to dramatically reduce the cost of liquid flow batteries; provided further, that \$500,000 shall be expended for projects at the Institute for Applied Life Sciences at the University of Massachusetts Amherst; and provided further, that funds shall be expended for the Agricultural Innovation Fund established in chapter 10 of the General Laws..... \$54,000,000

2511-0122.. For a program to acquire agricultural preservation restrictions under sections 23 to 26, inclusive, of chapter 20 of the General Laws; provided, that any person or entity that receives funds from this item shall be encouraged to participate in programs of the department of agricultural resources that may be suggested by the commissioner; provided further, that funds may be used to develop a statewide farmland plan; provided further, that funds may be used for the implementation of a stewardship program on agricultural preservation restriction lands including, but not limited to, resource and land use monitoring, boundary delineation and monitoring, stewardship planning, ecological monitoring and enforcement of agricultural preservation restrictions on existing and newly acquired agricultural preservation restriction properties and the creation of new opportunities to enhance the sustainability and viability of such properties; and provided further, that funds may be used to develop a statewide farmland plan..... \$20,000,000

Department of Conservation and Recreation

2000-7079.. For natural resource restoration and protection and in compliance with laws and regulations, and for purposes of improvements and costs associated with site assessment, containment, cleanup, control, disposal, removal or exchange of or response actions concerning hazardous materials or substances; provided, that not less than \$6,000,000 shall be expended for environmental justice projects

in the city of Framingham; provided further, that not less than \$200,000 shall be expended to delead and repaint the bridge on Cliff road over the railroad tracks in the town of Wellesley; provided further, that not less than \$30,000 shall be expended for an asbestos and lead removal project at the Fitchburg library in the city of Fitchburg; provided further, that not less than \$5,000,000 shall be expended for abatement, demolition and restoration of the Strathmore property on the Connecticut River in the town of Montague; and provided further, that not less than \$465,000 shall be expended for an asbestos and lead removal project at the Clinton Senior Center in the town of Clinton..... \$75,500,000

2800-1121.. For the acquisition of land and interests in land by the department of conservation and recreation and for associated costs, including planning, study, due diligence, title and appraisal services, site restoration and stewardship, including, but not limited to, coastal land acquisition and securing access to protected coastal lands, and lands to provide for the inland movement of coastal habitats; provided, that funds may be used for development and implementation of a stewardship program on lands under the care and control of the department including, but not limited to, resource and land use monitoring, signage, boundary delineation and monitoring, preparation of baseline documentation, stewardship planning, ecological monitoring and enforcement of conservation restrictions or detection and resolution of encroachments on land owned and rights in land and repair of damage to property related to illegal uses, including off-road vehicle trespass; and provided further, that funds may be used for inventory, restoration and reclamation of acquired land, including demolition of structures, removal of debris, eradication of non-native species and other services essential to these reclamation efforts..... \$40,000,000

2800-7020.. For natural resource restoration and protection, including protection and rehabilitation of lakes, ponds, rivers and streams and associated watersheds, and for improvements and costs associated with site assessment, containment, cleanup, control, removal of or response actions concerning hazardous materials or substances at

forests, parks, reservations, waterbodies and other properties of the department of conservation and recreation; provided, that the secretary of energy and environmental affairs may provide guidance for planning, prioritizing, selecting and implementing projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan; provided, that not less than \$1,000,000 shall be expended for the protection and maintenance of the Herring Run to Whitman’s Pond, located in the city known as the town of Weymouth..... \$20,000,000

2800-7014.. For the design, construction, reconstruction, improvement or rehabilitation of department or navigable coastal and inland waterways projects including, but not limited to, design, permitting, operation, maintenance of waterways, operation and maintenance of state piers, coastal protection, dredging, river and stream cleaning, coastal structure maintenance, piers, dune stabilization, culvert repair, renourishment, erosion control and implementing nature-based solutions, waterfront access and transportation improvements and improvements to related facilities and equipment; provided, that funds from this item may be expended to support state coordination with a cooperative federal-state program with the United States Geological Survey in the United States Department of the Interior, for continuous data collection and analysis regarding water resources; provided further, that the secretary of energy and environmental affairs may provide guidance for planning, prioritizing, selecting and implementing projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan; provided further, that not less than \$1,000,000 shall be expended to the town of Pembroke for costs associated with dredging; provided further, that not less than \$2,000,000 shall be expended to the city of Beverly for costs associated with dredging of the Bass River; provided further, than not less than \$500,000 shall be expended for the dredging of the Back River in the area of the Weymouth Back River boat launch facility; provided further, that not less than \$1,000,000 shall be

expended for the purpose of dredging Indian Lake in Worcester; provided further, that not less than \$1,000,000 shall be expended for improvements to the Sword Street culverts in the town of Auburn; provided further, that not less than \$100,000 shall be expended to the city of Haverhill in partnership with the Greater Haverhill Foundation for costs related to removing an impediment in the Rocks Village area of the Merrimack River; provided further, that not less than \$2,000,000 shall be expended for the dredging of Squantum and Wollaston Yacht Club emergency boat access in Wollaston Beach in the city of Quincy; provided further, that not less than \$400,000 shall be expended to reconstruct the boat launch ramp at Pontoosuc Lake; provided further that \$2,500,000 shall be expended for repairs to the Sales creek culvert and related improvements in the city of Revere; provided further, that not less than \$1,500,000 shall be expended for the design and construction of a forebay on Indian Lake in Worcester; provided further, that not less than \$5,500,000 shall be expended for the preservation of historic naval vessels berthed in Battleship Cove in the city of Fall River; provided further, that not less than \$120,000 shall be provided to the town of Mount Washington for repairs to the guard-railed culvert of the southern intersection of East street and West street; provided further, that not less than \$500,000 shall be expended for the city of Everett for stormwater restoration of North and South creeks that flow into the Malden river for dredging and restoration of ecology; provided further, that not less than \$1,000,000 shall be expended for the city of Everett to daylight a portion of the Island End river; provided further, that not less than \$600,000 shall be expended for headwall and culvert repairs on Andover street, Hood road and Lower Pinnacle street in the town of Tewksbury; provided further, that not less than \$1,750,000 shall be expended for culvert repair and restoration in the city known as the town of Dracut; provided further, that not less than \$1,000,000 shall be expended for the Merrimack and Shawsheen river access project in the town of Andover; provided further, that \$685,000 shall be expended for the dredging of Laurel Park pond in the town of Longmeadow; provided further, that not less than \$350,000 shall be expended for improvements to Magnolia Pier in the city of Gloucester; provided

further, that not less than \$800,000 shall be provided to the city of Pittsfield for repairs to the Dan Casey Memorial drive culverts; and provided further, that not less than \$800,000 shall be expended to the city of Melrose for costs associated with dredging First pond..... \$50,000,000

2800-7025.. For the design, construction, reconstruction, rehabilitation, retrofitting, repair or removal of state-owned dams for which emergency action or statewide hazard mitigation is required, and for inland flood control projects and projects for related facilities and equipment, including, but not limited to, seawalls, jetties, revetments and retaining walls, with equal consideration given to beach nourishment and nature-based solutions on state-owned land or related to state climate change adaptation and preparedness or for which emergency action or statewide hazard mitigation is required; provided, that the department of conservation and recreation shall give priority to dams and flood control projects that pose the greatest risk to public health or safety, or to the environment; provided further, that funds shall be available for a program of planning, permitting and construction of fish ways and other aquatic habitat improvements, including the removal or breaching of selected dams and impoundments on state-owned land and waterways; provided further, that such projects shall include those which maintain or improve coastal access; provided further, that not less than \$5,000,000 shall be expended to complete a pumping capacity evaluation and purchase and install a fourth pump at the Amelia Earhart dam in the city of Somerville; and provided further, that the secretary of energy and environmental affairs may provide guidance for planning, prioritizing, selecting and implementing projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan..... \$105,000,000

2800-7031.. For the protection and rehabilitation of lakes, ponds, rivers and streams and associated watersheds including, but not limited to, assistance and grant programs under sections 37A to 37D, inclusive, of chapter 21 of the General Laws; provided, that such

programs shall include, without limitation, technical assistance, studies, preservation, environmental improvements, including the removal of aquatic invasive plants, and associated costs; provided further, that not less than \$1,000,000 shall be expended for flooding control, dredging and eradication of non-native plant species of Canal brook, an outlet of Lake Congamond; provided further, that not less than \$254,000 shall be expended to the Webster Lake Association, Inc. for invasive species mitigation in Lake

Chargoggagoggmanchauggagoggchaubunagungamaugg in the town of Webster; and provided further, that not less than \$100,000 shall be expended for weed eradication on the Nashua river in the city of Fitchburg..... \$10,000,000

2840-7025.. For the planning, design, construction, reconstruction, repair, removal, demolition, improvement, furnishing, equipping or rehabilitation of department reservations, forests, parks, campgrounds, comfort stations, harbor islands, skating rinks, skate parks, swimming and wading pools, spray parks, golf courses, tennis courts, basketball courts, ball fields, playgrounds, exercise and fitness paths, tracks, other recreational facilities, historic sites, beaches and related facilities, storage buildings, office buildings, visitor centers, fire towers, maintenance facilities and other park buildings and structures, and equipment, including upgrades to information technology equipment to be considered in consultation with the secretary of technology services and security, and for the planning, design, acquisition, construction, reconstruction, repair, removal, improvement or rehabilitation of department bike paths, greenways, recreational trails and related facilities and equipment; provided, that the secretary of energy and environmental affairs may provide guidance for planning, prioritizing, selecting and implementing projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan; provided further, that the department of conservation and recreation may expend funds for technical assistance and grants to cities and towns in accordance with rules or regulations adopted by the department to implement this item;

provided further, that in expending funds under this item, the commissioner shall prioritize public health and safety and capital maintenance needs of commonwealth facilities; provided further, that \$10,000,000 shall be expended for repairs and improvements to the Revere beach reservation including, but not limited to, re-nourishment of Revere beach, repairs to any failing seawalls, transportation improvements and restorations to pavilions and period lighting structures; provided further, that \$800,000 shall be expended for planning and infrastructure improvements to mitigate flooding issues in the Riverside, Point of Pines and Beachmont neighborhoods in the city of Revere; provided further, that the department of conservation and recreation shall conduct a study on the feasibility to repair and reuse as of the Havey beach property in the West Roxbury section of the city of Boston; provided further, that the study shall evaluate the feasibility of repairing and reusing the property to create an outdoor recreation center and investigate potential public and private partnerships for funding such a project; provided further, that not less than \$150,000 shall be expended for the feasibility study; provided further, that not less than \$3,000,000 shall be expended for the construction of the Roslindale Gateway path located in the Roslindale section of the city of Boston; provided further, that any funds expended under this item or item 2840-7024 authorized pursuant to chapter 286 of the acts of 2014 for capital improvements to the Horseneck Beach State Reservation in the town of Westport shall be subject to the restriction that the department shall not relocate any of the existing 32 waterfront campsites at the Horseneck Beach campgrounds as a result of such improvements; provided further, \$1,681,000 shall be expended for the athletic field project in the town of Millbury; provided further, \$528,000 shall be expended for the rehabilitation of Round Pond in the town of Millbury; provided further, that \$1,000,000 shall be expended for park and playground improvements in the town of Auburn; provided further, that not less than \$1,000,000 shall be expended for Mill brook bank stabilization in the town of Arlington; provided further, that not less than \$1,000,000 shall be expended for Mill brook culvert and outfall repair and improvement in the town of Arlington; provided further, that not less

than \$2,300,000 shall be expended for the construction of the outdoor center, campgrounds, recreational trail system and event parking area at the Greylock glen in the town of Adams; provided further, that not less than \$1,000,000 shall be expended for the design and construction of improvements to the Southern New England Trunkline Trail in the city known as the town of Franklin; provided further, that not less than \$1,000,000 shall be expended for repairing the membrane of the Gerena tunnel; provided further, that not less than \$750,000 shall be expended for Phase II of the Riverfront Park project in Watertown; provided further, that not less than \$1,200,000 shall be expended for rehabilitation of landscape, pathways, lighting, and vegetation, and restoration of the brick and limestone walls in Lowell Memorial Park in Cambridge; provided further, that not less than \$25,000 shall be expended for repairing the Cronin Playground retaining wall; provided further, that not less than \$1,000,000 shall be expended for the engineering of a shared-use-path along Service Road in the town of Sandwich; provided further, that not less than \$400,000 shall be expended for rehabilitation of playgrounds in the town of Sudbury; provided further, that \$500,000 shall be expended for resilience-based projects at Martin's Park in the city of Boston; provided further, that not less than \$500,000 shall be expended for pond dredging and safety improvements for recreation activities at Highland Park in the city of Greenfield; provided further, that not less than \$1,000,000 shall be expended for improvements, including dredging, landscaping, waterway access, public docks and ramps, parking areas, restrooms, and boardwalk access to Hutchinson Field, to the Milton Landing Waterfront in the town of Milton; provided further, that not less than \$700,000 shall be expended to study and implement the raising of certain athletic assets in the Langone Puopolo Park in city of Boston; provided further, that not less than \$500,000 shall be expended for the design and construction of a visitors and education center for the Freetown State Forest, located in the town of Freetown; provided further, that not less than \$1,000,000 shall be expended for the rehabilitation and improvement of Whitney Pond Dam in the town of Winchendon; provided further, that not less than \$100,000 shall be expended for the development of the William J. Bresnahan Scouting

and Community Center Inc. in the town of Ashburnham; provided further, that not less than \$1,000,000 shall be expended for repairs, maintenance and improvements of the Leo J. Martin Memorial Golf Course in the town of Weston; provided further, that not less than \$250,000 shall be expended to install lights at the baseball fields located at Aaron Krock Memorial Park in Worcester; provided further, that not less than \$1,000,000 shall be expended for the purpose of making improvements to Goodale Park in the town of West Boylston; provided further, that not less than \$30,000 shall be expended for the relocation of the skate park in the town of Auburn; provided further, that not less than \$1,000,000 shall be expended for design and construction of swimming and recreational facilities in the vicinity of North Point Park in the city of Cambridge and the city of Boston; provided further, that not less than \$1,000,000 shall be expended for the maintenance and improvement to the Town Beach in the town of Sterling; provided further, that not less than \$500,000 shall be expended for the design and construction of a new veterans park in the city of Lowell; provided further, that not less than \$1,500,000 shall be expended for the cleanup and stabilization of the historic property located at 12 North Main Street in the town of Westford; provided further, that not less than \$1,000,000 shall be expended for the public restroom facility at Salisbury Beach in the town of Salisbury; provided further, that \$1,000,000 shall be expended for the planning and construction of a park in the Mildred C. Hailey apartments in the Jamaica Plain section of the city of Boston; provided further, that not less than \$400,000 shall be expended for renovation of the tot lot, passive areas and athletic field at the Crawford street playground in the city of Boston; provided further, that not less than \$1,000,000 shall be expended for the design and construction of improvements to the Southern New England Trunkline trail in the city known as the town of Franklin; provided further, that not less than \$20,000 shall be expended for the trail system to connect between Queset Commons and North Easton Village to provide pedestrian access in the town of Easton; provided further, that not less than \$400,000 shall be expended for rehabilitation of playgrounds in the town of Wayland; provided further, that not less than \$1,575,000 shall be expended for

improvements to Fellsmere park in the city of Malden; provided further, that not less than \$2,000,000 shall be expended to reopen the historic Blackstone Canal Park in Worcester; provided further, that not less than \$300,000 shall be expended for planning and construction of a recreational area at 40 to 48 Geneva avenue, inclusive, in the Grove Hall section of the Roxbury section of the city of Boston; provided further, that not less than \$1,500,000 shall be expended for the city of Chelsea for a new waterfront park if the city of Chelsea provides a 30 per cent match toward the new waterfront park; provided further, that not less than \$1,000,000 shall be expended for the city of Cambridge for environmental remediation and renovation of Binney street park; provided further, that \$2,500,000 shall be expended for the purposes of repair, improvements and restoration at Larz Anderson park in the town of Brookline; provided further, that \$1,700,000 shall be expended for the repair, improvements and restoration of parks, playgrounds and recreation areas in the city of Newton; provided further, that \$1,000,000 shall be expended to the city of Lynn for reconstructing and making improvements to Lynn Heritage State Park; provided further, that \$1,700,000 shall be expended for the Forest River Pool and Shoreline/Tidal Restoration Project by the city of Salem; provided further, that not less than \$900,000 shall be deposited into the Castle Island and Marine Park Trust Fund established in section 35III of chapter 10 of the General Laws; provided further, that not less than \$2,000,000 shall be expended for improvements to Squantum Point park in the city of Quincy for the planning, design, engineering and construction associated with readying the park and its pier for ferry service; provided further, that not less than \$500,000 shall be expended for improvements to the Ames Nowell state park in the town of Abington, including the development of a master plan and the planning, design and engineering costs associated with the implementation of that plan; provided further, that \$750,000 shall be expended for drainage upgrades for municipally-owned recreation field improvements and for playground upgrades in the city of Methuen; provided further, that not less than \$500,000 shall be expended for maintenance and improvements for Hampton Ponds state park in the city of Westfield; provided further, that not less than

\$500,000 shall be expended for maintenance and improvements for Mount Tom state reservation in the city of Holyoke; provided further, that not less than \$100,000 shall be expended for maintenance and improvements to Granville state forest in the town of Granville; provided further, that not less than \$250,000 shall be expended for maintenance and improvements to Robinson state park in the city known as the town of Agawam; provided further, that not less than \$100,000 shall be expended for maintenance and improvements to Tolland state forest in the town of Tolland; provided further, that not less than \$100,000 shall be expended for the maintenance of and improvements to the Gerald J. Mason Memorial pool and fields in the city known as the town of Agawam; provided further, that not less than \$100,000 shall be expended for the maintenance of and improvements to the Sarah Jane Sherman swimming pool in the city of Chicopee; provided further, that \$175,000 shall be expended for the resurfacing of the track and tennis courts at the Belchertown public schools complex in the town of Belchertown; provided further, that \$150,000 shall be expended for or the repair and replacement of bleachers in Whitney park in the city of Ludlow; provided further, that \$250,000 shall be expended for the development of a kayak and canoe launch on the Chicopee river adjacent to Fuller road in the city of Chicopee, including floating docks at the river with equipment that allows physically challenged individuals to launch their watercraft, and access the dock system with needed equipment to facilitate boarding watercraft from a wheelchair; provided further, that \$4,500,000 shall be expended to build or upgrade Camp STAR Angelina Administration Lodge, Forest Park Comfort Shelter and the Horticultural Training Center in Forest park to ensure that park structures are energy efficient in the city of Springfield; provided further, that \$240,000 shall be expended for upgrades to the play unit and lighting in Greenleaf park in the city of Springfield; provided further, that not less than \$2,000,000 shall be expended for Ryan playground in the Charlestown section of the city of Boston to support the design and implementation of flood resilience; provided further, that not less than \$1,000,000 shall be expended for repairs and improvements to Foss park in the city of Somerville; provided further,

that \$100,000 shall be expended for improvements to Howe state park in the town of Spencer; provided further, that \$100,000 shall be expended for improvements to Moore state park in the town of Paxton; provided further, that notwithstanding any general or special law to the contrary, the department may expend funds for a 1-time paving of Cushing Park road, a private way in the town of Scituate which provides access to Cushing Memorial state park; provided further, that not less than \$950,000 shall be expended for improvements to Hunt park, Memorial park, Washington park, Symmonds way and Sturges park in the town of Reading; and provided further, that not less than \$250,000 shall be expended for the planning, design, construction and programming of an indoor golf facility at the site of the former Boston State Hospital in the Mattapan section of the city of Boston..... \$420,000,000

2890-7034.. For the planning, design, construction, reconstruction, repair, improvement or rehabilitation of department of conservation and recreation parkways, boulevards, multi-use trails, internal state park roads and recreational trails, pedestrian bridges and related appurtenances and equipment including, but not limited to, the costs of planning, design and engineering and other services for those projects rendered by commonwealth employees or by consultants; provided, that funds may be expended for pedestrian and bicycle safety, traffic calming, landscape improvements, street lighting, safety equipment and accessibility; provided further, that all work funded by this item shall be carried out according to standards developed by the department pursuant to historic parkways preservation treatment guidelines to protect the scenic and historic integrity of the bridges and parkways under its control; provided further, that the secretary of energy and environmental affairs may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan; provided further, that not less than \$2,000,000 shall be expended for the planning, design and construction of a trail and any related structures and infrastructure in dedication to former

Representative Chris Walsh in the city of Framingham; provided further, that not less than \$2,000,000 shall be expended for the Upper Charles bike trail in the town of Ashland; provided further, that not less than \$3,000,000 shall be expended for improvements to the intersection of Walter street and Centre street in the Roslindale section of the city of Boston; provided further, that not less than \$150,000 shall be expended for construction of the multi-use recreational Southern New England Trunkline Trail in the towns of Douglas and Uxbridge; provided further, that \$1,300,000 shall be expended for the feasibility, design and permitting of the Bourne Rail Trail Shared-Use Path along the Massachusetts Department of Transportation Rail Line Right-of-Way from the existing Shining Sea Bike Path in North Falmouth to the Cape Cod Canal in the town of Bourne; provided further, that not less than \$500,000 shall be expended for improvements to pedestrian and vehicle access, including safety improvements, to the Burma Trail in the town of Milton; provided further, that not less than \$500,000 shall be expended for the survey, design and permitting of the Merrimack River Trail; provided further, that not less than \$500,000 shall be expended for flood and drainage improvements surrounding the Skyline Trail in the town of Hinsdale; provided further, that \$500,000 shall be expended to extend the James J. Fiorentini rail trail and further construct access infrastructure to the Merrimack river in the city of Haverhill; provided further, that not less than \$500,000 shall be expended to the South Coast Bikeway Alliance, Inc. for the feasibility study, design and construction of the Southcoast Scenic Greenway project in the cities of Fall River and New Bedford and the towns of Dartmouth and Westport; provided further, that not less than \$15,000 shall be expended to the town of Millis to replace existing water booster pump station; provided further, that not less than \$2,000,000 shall be expended for the design, acquisition and construction of multipurpose trails in the town of Natick; provided further, that not less than \$400,000 shall be expended for the repair of the Sacarrappa Road Bridge, Bridge No. 0-06-053, in the town of Oxford; provided further, that not more than \$2,000,000 shall be expended for phase 4 of the Quequechan river rail trail to connect the urban river trail to Father Travassos park in the city

of Fall River; provided further, that not less than \$175,000 shall be expended to the towns of Stoneham and Winchester for pedestrian and bicycle safety, traffic calming, landscape improvements, street lighting, safety equipment and accessibility improvements on the Tri-Community Greenway; provided further, that \$2,000,000 shall be expended for improvements to the Southwest Corridor park in the city of Boston; provided further, that not less than \$700,000 shall be awarded to the town of Sherborn for the acquisition of the CSX property north of Whitney street and converting it to a rail trail; provided further, that not less than \$2,000,000 shall be expended for expanding greenscapes within the 5 corners area of the city of Lawrence; provided further, that not less than \$800,000 shall be expended for the completion of the downtown corridor phase of the Columbia Greenway project in the city of Westfield; provided further, that \$850,000 shall be expended for the construction of a bike path in the town of Southampton; provided further, that not less than \$104,813 shall be expended for stormwater improvements to the police station parking lot in the town of Milton; provided further, that not less than \$250,000 shall be expended for planning, development and construction of a foot bridge at Good Harbor beach in the city of Gloucester; provided further, that not less than \$500,000 shall be expended for developing the Bartlett pond trail in the town of Lancaster; provided further, that not less than \$900,000 shall be expended for developing the Rollstone hill trail in the city of Fitchburg; provided further, that not less than \$1,000,000 shall be expended for planning, design and infrastructure improvements for the Rocky Hill bike path in the city of Northampton; and provided further, that not less than \$5,000,000 shall be expended for costs associated with the design, improvements and restoration of the Charlesgate Park in the city of Boston..... \$160,000,000

SECTION 2A.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Office of the Secretary

2000-7080.. For implementation of the integrated state hazard mitigation and climate change adaptation plan; provided, that the secretary of energy and environmental affairs shall give priority to critical actions and strategies identified in the plan..... \$100,000,000

2000-7081.. For the municipal vulnerability preparedness grant program to support and provide technical assistance for cities and towns to complete climate-related vulnerability assessments, develop action-oriented resiliency plans and complete integrated climate change adaptation plans and local hazard mitigation plans and to implement local and regional adaptation solutions identified through such plans, including changes to policies, bylaws and plans, municipal infrastructure improvements, repairs to address vulnerability and improve resiliency and nature-based climate adaptation strategies that are defined as strategies that conserve, restore and employ the natural resources of the commonwealth to enhance climate adaptation, build resilience and support mitigation; provided, that such funds may be used on lands held by municipal, state or federal agencies or other governmental bodies, on lands held by nonprofit conservation organizations or on private lands with the consent of the owner and subject to covenants that shall assure the continued presence and effectiveness of such projects for the expected life of the projects; provided further, that the use of such funds by municipal governmental bodies on lands held by nonprofit conservation organizations or on private lands shall require the affirmative vote of a majority of all the members of the city council in a city having a Plan D or Plan E charter, the vote of the city council in a city not having such a charter, subject to the charter of such a city, and the majority vote of the selectboard in a town; provided further, that such funds may be used for a municipality, or municipalities in the same region, to appoint and retain a regional coordinator to oversee sustainability, resiliency and climate adaptation programs in the region and to liaise with utilities and government agencies to coordinate long-term planning and identify grid-hardening and modernization opportunities and methods; and provided further, that such funds may be used for

municipal and consumer costs associated with undergrounding electric distribution lines where the project is intended to improve reliability in wind and winter weather events; and provided further, that \$5,000,000 shall be expended for the establishment and initial funding of the University of Massachusetts Fleet Electrification Grant Program to provide monies and technical assistance to universities in the University of Massachusetts system for the purpose of implementing innovative transportation planning and fleet electrification projects..... \$75,000,000

2000-7084.. To capitalize the Global Warming Solutions Trust Fund established in section 35GGG of chapter 10 of the General Laws..... \$5,000,000

2000-7085.. For the climate change science and data program to support the development and maintenance of data including statewide, basin scale and other relevant climate change projections and data, the establishment of datasets to track and monitor ongoing impacts from climate change and the maintenance and expansion of the climate change clearinghouse data and tools available to cities and towns and the regional planning agencies that support them; provided, that any expenditures for communication and technology equipment under this item shall be considered in consultation with the secretary of technology services and security..... \$10,000,000

Department of Environmental Protection

2200-7019.. For the electric vehicle incentive program to provide grants to public entities to acquire passenger plug-in vehicles for fleets, install charging stations for public electric vehicles, and promote the establishment of vehicle charging stations; provided further, that \$5,000,000 shall be expended for the electric vehicle incentive program to provide matching grants to employers to install electric vehicle charging stations at workplaces; provided further, that not less than \$24,000 shall be expended for the installation of electric vehicle charging stations at public buildings in the town of Concord; provided further, that not less than \$14,500 shall be expended for a community electric vehicle consumer awareness and education

program in the town of Concord; and provided further, that not less than \$300,000 shall be expended for upgrading and expanding the electric public school bus fleet in the town of Concord.....

\$15,000,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
Office of the Secretary

8000-2007.. For the development and support of climate-oriented emergency response and natural hazard preparedness programs and climate change coordination with the executive office of energy and environmental affairs; provided, that not less than \$500,000 shall be expended to fund a regional hazard mitigation initiative for the towns of Cohasset, Hingham, Hull and Scituate, which shall include, but not be limited to, coordinating a prioritized regional hazard mitigation plan to improve collective hazard planning, increasing public safety, and streamlining emergency response..... \$6,000,000

SECTION 2B.

OFFICE OF THE TREASURER AND RECEIVER GENERAL

0620-1002.. For the Massachusetts Clean Water Trust established in section 2 of chapter 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund established in section 2L of chapter 29 of the General Laws for application by the trust to the purposes specified in section 5 of said chapter 29C, any portion of which may be used as a matching grant by the commonwealth to federal capitalization grants received under Title VI of the federal Clean Water Act or for deposit in the Drinking Water Revolving Fund established in section 2QQ of said chapter 29 for application by the trust to the purposes specified in section 18 of said chapter 29C, any portion of which may be used as a matching grant by the commonwealth to federal capitalization grants received under the federal Safe Drinking Water Act..... \$60,333,000

SECTION 2C.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Office of the Secretary

2000-7061.. For a tree planting greening program for projects throughout the commonwealth on publicly-owned land including, but not limited to, the evaluation and planning of tree greening projects, tree stock and planting and the care and protection of urban street trees; provided, that the secretary shall give priority to the planting of trees in cities or towns with a completed tree management plan; provided further, that the secretary shall issue grants to cities and towns to achieve the purposes of this item; provided further, that not less than \$1,000,000 shall be provided to the city of Boston for the planting of new trees in the South Boston, Dorchester, Mattapan and Hyde Park sections of the city and for the creation of a Geographic Information System, geocoded inventory and condition assessment of the city's trees by a licensed arborist. \$10,000,000

2000-7064.. For a program to be administered by the secretary of energy and environmental affairs to acquire land for the purposes of open space, recreation and conservation, to be protected pursuant to Article 97 of the Amendments to the Constitution; provided, that the lands are located near or adjacent to the mean high water mark of coastal areas, on coastal barrier beaches or in coastal high risk flooding zones and the lands or structures thereon have suffered or are projected to be subject to repeated damage from flooding, storm surges, wave action or erosion caused by ocean waves or waters or are otherwise impacted or projected to be impacted catastrophically by extreme weather events, astronomical high tides or elevated sea levels related to climate change and cause a substantial risk to public health, public safety or the environment; provided further, that funds may be used to purchase adjoining coastal parcels next to such acquired land or any other Article 97 coastal land to achieve the purposes of this item; provided further, that grants may be made to cities and towns to acquire such coastal lands for the purposes of this item and may as a condition of any grant require the municipality to hold title to the

acquired land jointly with the commonwealth under the terms of the grant; and provided further, that funds from this item shall not be used to compensate land owners for lands taken by eminent domain..... \$30,000,000

2000-7077.. For the acquisition, development, construction and improvement of parks in urban and suburban neighborhoods currently underserved with parks and that are consistent with attainment of environmental equity, including community engagement and planning related to these parks; provided, that funds shall be available for the completion of urban forestry and tree planting projects, assessment and remediation of brownfield and grayfield sites intended for reuse as parks, drafting of architectural renderings, construction documents and other technical documents necessary for parks construction, acquisition of land or interests in land, including rail-banked corridors, for the creation of parks pursuant to Article 97 of the Amendments to the Constitution and for the construction, rehabilitation and improvement of parks including, but not limited to, all related facilities, landscaping, monuments and features, parking areas and roadways; provided further, that the secretary of energy and environmental affairs may issue grants to public and nonpublic entities to implement these projects; provided further, that not less than \$1,000,000 shall be expended for the redevelopment of Greenleaf Park including the master plan which coincides with state and municipal resiliency plans including installation of traffic control signals and other related safety improvements, at the Parker street vehicle entrance to Greenleaf Park in the city of Springfield; provided further, that not less than \$1,500,000 shall be expended to improve Forest Park and Blunt Park roadways and to repair Forest Park erosion damage in the city of Springfield; provided further, that not less than \$2,000,000 shall be expended to the town of West Springfield for phase II improvements to Mittineague Park; provided further, that not less than \$250,000 shall be expended for the restoration of Old Village cemetery in the town of Dedham; provided further, that \$500,000 shall be expended for brownfield site reclamation and cleanup at 2040 Providence road in the town of Northbridge; provided further, that

\$2,500,000 shall be expended to reopen the access park road in Blunt park between Roosevelt avenue and Tapley street in the city of Springfield and for improvements, including LED lighting, pedestrian and bikeways and road materials of impervious asphalt protecting the adjacent wetlands; provided further, that not less than \$250,000 shall be expended for the renovations to Fournier park in the city of Leominster; provided further, that not less than \$900,000 shall be expended for the development of Omelia park in the city of Gardner; provided further, that not less than \$80,000 shall be expended for the removal and replacement of the town common’s sidewalks in the town of Townsend; provided further, that not less than \$1,000,000 shall be expended for maintenance and improvements to Holyoke Heritage state park in the city of Holyoke; provided further, that not less than \$1,000,000 shall be expended to the city of Boston for the planning, construction and maintenance of the Coppen’s Square fountain renovation and beautification project; provided further, that not less than \$300,000 shall be expended for the planning and construction of public access, recreation and landscaping improvements on lands of the commonwealth along the Neponset river adjacent to Edgewater drive in the Mattapan section of the city of Boston; provided further, that not less than \$250,000 shall be expended for improvements including, but not limited to, paving, basketball court and wading pool upgrades at Ryan Playground on River street in the city of Boston; provided further, that not less than \$2,000,000 shall be expended on the planning, construction and maintenance of the Dot Greenway, located above the Massachusetts Bay Transportation Authority’s red line tunnel cap between Talbot avenue and Park street in the Dorchester section of the city of Boston; and provided further, that the secretary may provide guidance for planning, prioritization and selection of parks to promote environmental equity and in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan..... \$60,000,000

2000-7078.. For investment in trails to include planning, engineering, design, permitting, construction, repair, technical assistance and improvement of trails and the acquisition of property interests for trail purposes; provided, that funds may be granted at the discretion of the secretary of energy and environmental affairs to public and non-public entities including municipalities, regional planning agencies and nonprofit organizations or expended directly by the executive office of energy and environmental affairs and its departments and divisions; provided further, that trails are to be broadly defined to include water, recreational, multi-use and motorized for use by recreational and snow vehicles and may be paved, improved, natural surface or on-road for limited distances when necessary to make key connections; provided further, that any project funded under this item is to be open to the public; provided further, that wherever practicable, property interests acquired are to be permanently conserved such that the trail thereon is permanently accessible to the public, but may be long-term leases where necessary to advance trail projects; provided further, that a match from the funding recipient, which may include in-kind match, may be required at the discretion of the secretary of energy and environmental affairs; provided further, that not less than \$35,000 shall be expended for parking lot access improvements on state highway Route 47 for the River to Range Trail in the town of South Hadley; provided further, that not less than \$500,000 shall be expended for the completion of the feasibility study for the Wakefield-Lynnfield Rail Trail in the towns of Wakefield and Lynnfield; provided further, that not less than \$250,000 shall be expended for the completion of a bridge on the Grand Trunk Trail in the town of Brimfield and the connection of the Brimfield trail system with the Sturbridge trail system; provided further, that not less than \$1,000,000 shall be expended for planning and design, engineering and construction of the community center to Lexington high school greenways connector in the town of Lexington; provided further, that \$500,000 shall be expended for trail linkages and for trail projects, including design and construction of infrastructure, for the creation of the Highlands footpath between the towns of Lee and Goshen; provided further, that not less than \$800,000 shall be expended to

identify, develop, map, market and construct trails for the purpose of mountain biking in Berkshire, Hampshire, Franklin and Hampden counties; provided further, that \$500,000 shall be expended for the design and engineering of the North Adams adventure trail in the city of North Adams; provided further that \$1,000,000 shall be expended to build or upgrade the woodland trails systems in Forest park, Blunt park and Van Horn park; provided further, that not less than \$100,000 shall be expended to the towns of Dudley and Webster for improvements to the Quinnebaug rail trail; provided further, that not less than \$46,000 shall be expended to the town of Sutton for the expansion of and improvements to the trails at Marion’s Camp; and provided further, that funds expended from this item for the cost of employees shall not exceed 5 per cent of funds expended from this item in any fiscal year..... \$25,000,000

Department of Conservation and Recreation

2800-7023.. For a forestry and tree planting program for projects throughout the commonwealth including, but not limited to, the evaluation and planning of forestry and tree planting projects, tree stock and planting and the care and protection of trees and forests; provided, that the secretary of energy and environmental affairs shall give priority to the planting of trees in areas experiencing heat island effects, underserved with tree cover, affected by severe weather events or insect infestation, in areas where aquifers, recharge areas, wells, reservoirs and other water bodies are located that will improve and protect water quality as part of a natural ecosystem and in furtherance of environmental equity, climate change mitigation, adaptation and resiliency strategies; provided, that the secretary shall provide guidance for coordination between municipal and utility stakeholders on incorporating utility gas leaks data into planning for street tree planting projects and for testing street tree pits for methane before planting; provided further, that funds from this item may be expended to provide technical assistance and support to landowners to engage in sustainable forest management and long-term conservation practices and to undertake projects and activities to protect the ecological integrity of the commonwealth’s forestlands under the forest vision

plan; provided further, that not less than \$220,000 shall be expended for the Elm street culvert replacement effort in the town of Canton; provided further, that not less than \$900,000 shall be expended for the recreation department of town of Milton; provided further, that \$2,000,000 shall be expended for tree planting in the city of Boston; provided further, that not less than \$50,000 shall be expended for the efforts to restore the trees in the Fenway community of the Emerald necklace; and provided further, that not less than \$300,000 shall be expended to update the tree inventory system in the city of Springfield..... \$25,000,000

SECTION 2D.

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

6121-1315.. For the complete streets program established pursuant to chapter 90I of the General Laws for complete streets grants to municipalities; provided, that not less than 33 per cent of the grants awarded shall be issued to cities and towns with a median household income below the average of the commonwealth; provided further, that not less than \$3,708,221 shall be expended for the reconstruction of Turnpike street in the town of Stoughton to combat roadway settlement caused by of a vast depth of decomposing subsurface material; provided further, that not less than \$2,000,000 shall be expended to elevate Main street in the Charlestown neighborhood in the city of Boston; provided further, that not less than \$166,000 shall be expended to repair damage to the Ferry Lane parking lot in the town of Marblehead caused by undermining from winter storms; and provided further, that not more than \$200,000 shall be expended for the repair and construction to eliminate the excessive drainage where the state highway Route 24 northbound, exit 8A, abuts the Fall River Industrial Park in the city of Fall River..... \$55,000,000

SECTION 2E.

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
 Highway Division

6121-1715.. For projects on the interstate and non-interstate federal highway system; provided, that funds may be expended for the costs of these projects including, but not limited to, the nonparticipating portions of these projects and the costs of engineering and other services essential to these projects; provided further, that notwithstanding this act or any other general or special law to the contrary, the department shall not enter into any obligations for projects that are eligible to receive federal funds under this act unless state matching funds exist that have been specifically authorized and are sufficient to fully fund the corresponding state portion of the federal commitment to fund these obligations; and provided further, that the department shall only enter into obligations for projects under this act based upon a prior or anticipated future commitment of federal funds and the availability of corresponding state funding authorized and appropriated for this use by the general court for the class and category of project for which this obligation applies..... \$992,000,000

SECTION 3. Chapter 10 of the General Laws is hereby amended by inserting after section 35FFF, inserted by section 1 of chapter 91 of the acts of 2018, the following 5 sections:-

Section 35GGG. (a) There shall be a Global Warming Solutions Trust Fund into which shall be deposited: (i) any revenues or other financing sources directed to the fund by appropriation; (ii) bond revenues or other monies authorized by the general court and specifically designated to be credited to the fund; (iii) any income derived from the investment of amounts credited to the fund or repayment of loans from the fund; (iv) funds from public or private sources including, but not limited to, gifts, federal or private grants, donations, rebates and settlements received by the commonwealth that are specifically designated to be credited to the fund; and (v) all other

amounts credited or transferred into the fund from any other source. The fund shall be administered by the secretary of energy and environmental affairs.

(b) Amounts credited to the fund may be used, without further appropriation, to provide grants or loans to governmental, quasi-governmental or nonprofit entities for costs incurred in relation to implementation of chapter 298 of the acts of 2008, the clean energy and climate plan published by the executive office of energy and environmental affairs and other state and local strategies for climate change mitigation and adaptation. Such expenditures may include, but shall not be limited to: (i) payment of costs associated with planning, monitoring and managing carbon reduction measures; (ii) development and deployment of mitigation strategies and best practices to reduce carbon emissions; (iii) planning, monitoring and managing strategies to adapt to and prepare for the impacts of climate change; (iv) priority adaptation projects with potential co-benefits for climate change mitigation, environmental protection, public health or other factors, as determined by the secretary of energy and environmental affairs; (v) costs incurred by the bureau of environmental health in the department of public health associated with monitoring, studying and reporting on environmental pollutants in the air, water or soil to prevent or minimize environmental harms to public health; and (vi) pilot projects for new technologies or strategies to support carbon emission reductions. The amounts expended from the fund during any fiscal year for the costs of employees shall not exceed 5 per cent of total funds expended from the fund in that fiscal year. Monies deposited into the fund that are

unexpended at the end of the fiscal year shall not revert to the General Fund and shall be available for expenditure in the subsequent fiscal year.

(c) Annually, not later than December 1, the secretary of energy and environmental affairs shall report on the activities of the fund to the clerks of the house of representatives and the senate and to the house and senate committees on ways and means. The report shall include an accounting of expenditures made from the fund with a description of the authorized purpose of each expenditure, an accounting of amounts credited to the fund and any unexpended balance remaining in the fund.

Section 35HHH. (a) There shall be a Transfer of Development Rights Revolving Fund into which shall be deposited: (i) any revenues or other financing sources directed to the fund by appropriation; (ii) bond revenues or other monies authorized by the general court and specifically designated to be credited to the fund; (iii) any income derived from the investment of amounts credited to the fund or repayment of loans from the fund; (iv) funds from public or private sources including, but not limited to, gifts, federal or private grants, donations, rebates and settlements received by the commonwealth that are specifically designated to be credited to the fund; and (v) all other amounts credited or transferred into the fund from any other source. The fund shall be administered by the secretary of energy and environmental affairs.

(b) Amounts credited to the fund may be used, without further appropriation, to provide loans to municipalities for the acquisition of transferable development rights as provided in section 27 of chapter

21A. Monies deposited into the fund that are unexpended at the end of the fiscal year shall not revert to the General Fund and shall be available for expenditure in the subsequent fiscal year.

(c) Annually, not later than December 1, the secretary of energy and environmental affairs shall report on the activities of the fund to the clerks of the house of representatives and the senate and to the house and senate committees on ways and means. The report shall include an accounting of expenditures made from the fund with a description of the authorized purpose of each expenditure, an accounting of the amounts credited to the fund and any unexpended balance remaining in the fund.

Section 35III. There shall be a Castle Island and Marine Park Trust Fund to be used for the long-term preservation, maintenance, nourishment and public safety of Castle island and Marine park in the South Boston section of the city of Boston into which shall be deposited: (i) any revenues or other financing sources directed to the fund by appropriation; (ii) bond revenues or other money authorized by the general court and specifically designated to be credited to the fund; (iii) any income derived from the investment of amounts credited to the fund or repayment of loans from the fund; (iv) funds from public or private sources including, but not limited to, gifts, federal or private grants, donations, rebates and settlements received by the commonwealth that are specifically designated to be credited to the fund; and (v) all other amounts credited or transferred to the fund from any other source. The fund shall be administered by the secretary of energy and environmental affairs.

Any balance in the fund at the end of a fiscal year shall not revert to the General Fund, but shall remain available for expenditure in subsequent fiscal years. Annually, not later than December 1, the secretary of energy and environmental affairs shall report on the activities of the fund to the clerks of the house of representatives the senate and to the house and senate committees on ways and means. The report shall include an accounting of expenditures made from the fund and shall include a description of the authorized purpose of each expenditure, an accounting of the amounts credited to the fund and any unexpended balance remaining in the fund.

Section 35JJJ. (a) There shall be a Fishing Innovation Fund. The fund shall finance grants for: (i) permit banks; (ii) the design, construction and modification of commercial fishing vessels including, but not limited to, research, development and construction of innovative fishing vessels with attributes including, but not limited to, increased fuel efficiency, reduced carbon emissions, improved stability and the capability of supporting sustainable fishing practices through harvesting and on-board storage and processing methods; (iii) research, development, acquisition and deployment of advanced or innovative technologies including, but not limited to, sonar, radar, radio communications, satellite and global position and other locating and tracking devices; and (iv) the research and development, acquisition and deployment of safety equipment and technologies; provided, however, that any grants may be conditioned on a vessel or guarantor or other reasonable condition remaining active in commercial fishing in the commonwealth, landing or processing fish in the commonwealth or maintaining permits or licenses to do so without regard or preference to any particular geographic location or

region of the commonwealth; and provided, further that grants shall be distributed in a manner developed by the advisory committee established pursuant to subsection (c).

(b) The fund shall consist of: (i) any revenues or other financing sources directed to the fund by appropriation; (ii) bond revenues or other monies authorized by the general court and specifically designated to be credited to the fund; (iii) any income derived from the investment of amounts credited to the fund or repayment of loans from the fund; (iv) funds from public or private sources including, but not limited to, gifts, federal or private grants, donations, rebates and settlements received by the commonwealth that are specifically designated to be credited to the fund; and (v) all other amounts credited or transferred into the fund from any other source. The department of fish and game shall seek to maximize fund revenues through federal monies, matching funds and grants. The fund shall be administered by the commissioner of fish and game, in consultation with the advisory committee established pursuant to subsection (c), subject to approval by the secretary of administration and finance. Any unexpended balances in the fund at the end of the fiscal year shall not revert to the General Fund and shall be available for expenditures in the subsequent fiscal year.

(c) There shall be an advisory committee that shall consist of: the director of marine fisheries, who shall serve as chair; and 12 members to be appointed by the governor: 2 of whom shall have academic or research experience in fishing and the marine economy and 10 of whom shall be from geographically diverse regions of the

commonwealth. There shall be at least 1 representative for each of the following gear types: (i) mobile gear, such as trawls; (ii) hooks; (iii) gillnets; and (iv) traps.

The advisory committee shall file an annual report detailing the amount, types and nature of grants made and the impacts of the grants with the clerks of the house of representatives and the senate not later than September 30.

The advisory committee shall annually hold at least 1 public hearing to receive public testimony to inform its efforts in developing and deploying grant programs.

(d) Annually, not later than December 1, the commissioner of fish and game shall report on the activities of the fund to the clerks of the house of representatives and the senate and to the house and senate committees on ways and means. The report shall include an accounting of expenditures made from the fund with a description of the authorized purpose of each expenditure, an accounting of amounts credited to the fund and any unexpended balance remaining in the fund.

Section 35KKK. (a) There shall be an Agricultural Innovation Fund. The fund shall finance grants for the commonwealth's agricultural and cranberry producers through the agricultural innovation center for programs that may add value to the producers' products and services. The center shall develop an outreach program to identify and foster new, innovative ideas and approaches to adding value to the commonwealth's agricultural and cranberry economy. The center may solicit requests from the commonwealth's agricultural and cranberry industry for funding and technical assistance in: (i)

reclamation and revitalization of cranberry bogs; (ii) training, marketing, distribution, applied research, agritourism, aquaculture, forestry, processing, fiber and agricultural resource management research, development, poultry and red meat processing and construction of energy efficient agricultural buildings and structures; and (iii) research, development and construction of energy efficient agricultural equipment. Grants shall be administered in a manner developed by the advisory committee established under subsection (c).

(b) The fund shall consist of: (i) any revenues or other financing sources directed to the fund by appropriation; (ii) bond revenues or other monies authorized by the general court and specifically designated to be credited to the fund; (iii) any income derived from the investment of amounts credited to the fund or repayment of loans from the fund; (iv) funds from public or private sources including, but not limited to, gifts, federal or private grants, donations, rebates and settlements received by the commonwealth that are specifically designated to be credited to the fund; and (v) all other amounts credited or transferred into the fund from any other source. The department of agricultural resources shall seek to maximize fund revenues through federal monies, matching funds and grants. The fund shall be administered by the commissioner of agricultural resources in consultation, with the advisory committee established under subsection (c), subject to approval by the secretary of administration and finance. Any unexpended balances in the fund at the end of the fiscal year shall not revert to the General Fund and shall be available for expenditures in the subsequent fiscal year.

(c) There shall be an advisory committee that shall consist of the commissioner of agricultural resources, who shall serve as chair and 12 persons to be appointed by the governor, 2 of whom shall have academic or research experience in the agriculture and cranberry economy and 10 of whom shall be from geographically diverse regions of the commonwealth, with at least 1 from the following sectors: (i) horticulture; (ii) cranberry growing; (iii) dairy farming; (iv) raising livestock; and (v) raising crops. The agricultural innovation center shall consult with the advisory committee in matters related to the fund and in the implementation of this section.

The advisory committee shall file an annual report detailing the amount, types, and nature of grants made and the impacts of the grants with the clerks of the house of representatives and the senate not later than September 30.

The advisory committee shall annually hold at least 1 public hearing to receive public testimony to inform its efforts in developing and deploying grant programs.

(d) Annually, not later than December 1, the commissioner of agricultural resources shall report on the activities of the fund to the clerks of the house of representatives and the senate and to the house and senate committees on ways and means. The report shall include an accounting of expenditures made from the fund with a description of the authorized purpose of each expenditure, an accounting of amounts credited to the fund and any unexpended balance remaining in the fund.

SECTION 4. Section 10H of chapter 21A of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out the sixth, seventh and eighth paragraphs and inserting in place thereof the following 4 paragraphs:-

A person notified to appear before the clerk of a district court as provided in said section 10G for a violation of section 17A, 18, 19, 30, 31, 33, 34, 35, 36, 51, 51A, 66, 69, 70, 71, 72, 100C or 102 of chapter 130 may so appear within the time specified and pay a fine of \$100.

A person notified to appear before the clerk of a district court as provided in said section 10G for a violation of section 13, 17, 21, 29, 37, 38, 38A, 39, 40, 41, 41A, 44, 44A, 44B, 47, 49, 80, 81, 82, 92, 100A, 100B or 106 of said chapter 130 may so appear within the time specified and pay a fine of \$200.

A person notified to appear before the clerk of a district court as provided in said section 10G for a violation of section 23, 25, 67, 68, 75, 95 or 100D of said chapter 130 may so appear within the time specified and pay a fine of \$400.

A person notified to appear before the clerk of a district court as provided in said section 10G for a violation of section 17, 17A, 34, 35, 37, 40, 41, 41A, 44, 44A, 44B, 95, 100A, 100B or 100C of chapter 130 may so appear within the time specified and pay, in addition to the applicable fine specified in this section, a supplemental fine of \$10 per fish; provided, however, that for the purposes of this paragraph, the term “fish” shall have the meaning provided in section 1 of chapter 130, but shall not include bi-valve shellfish.

SECTION 5. Said chapter 21A is hereby further amended by adding the following section:-

Section 27. (a)(1) There shall be within the executive office of energy and environmental affairs a program to facilitate, through municipal ordinances or by-laws, the transfer of development rights to protect conservation values and encourage development through market incentives. For the purposes of this section, “transfer of development rights” shall have the same meaning as provided in section 1A of chapter 40A.

(2) The secretary, in consultation with the secretary of housing and economic development and other agencies or offices as appropriate, shall manage and oversee the program, including the administration of the Transfer of Development Rights Revolving Fund established in section 35HHH of chapter 10. The secretary may promulgate regulations to carry out this section.

(b) To be eligible for a loan from the Transfer of Development Rights Revolving Fund, a municipality shall: (i) establish a municipal transfer of development rights revolving fund under section 53E½ of chapter 44 for the purchase and sale of the transfer of development rights; and (ii) enact a transfer of development rights zoning bylaw or ordinance approved by the secretary, in consultation with the secretary of housing and economic development, that, at a minimum: (A) enables the acquisition, retention and disposition of the transfer of development rights; (B) provides reasonable assurance that areas designated for preservation through the transfer of development rights have ample natural resource, agricultural, recreational, historic or other conservation value such that their protection will be of sufficient public benefit to meet the standards for approval of a conservation, agricultural preservation, watershed protection, preservation or other use restriction as provided in this section; (C) requires that the land

from which development rights will be extinguished shall be subject to a permanent conservation, watershed preservation, agricultural preservation or preservation restriction pursuant to sections 31 to 33, inclusive, of chapter 184; (D) requires that the restriction described in clause (C) shall be recorded with the registry of deeds or registered in the registry district of the land court for the county or district wherein the land lies; provided, however, that if the land is submitted for approval by the appropriate state official but does not qualify or is not approved for such a restriction the land shall be subject to a restrictive covenant extended in perpetuity pursuant to sections 26 to 30, inclusive, of said chapter 184, and said covenant shall be: (1) approved by the planning board and the city council or board of selectmen, as appropriate; (2) held by the municipality or a nonprofit organization permitted to hold restrictions pursuant to section 32 of said chapter 184; and (3) duly recorded or registered, as applicable; (E) provides reasonable assurance that an area designated for receipt of transferred development rights is properly sized based on the potential increase in growth that may result from transfers to the area, and that the area is appropriate for additional growth based on its location, the availability of infrastructure or planned infrastructure development and access to municipal services; and (F) establishes a procedure for the planning board to issue development rights certificates, in a form specified by the secretary, indicating ownership of transferable development rights, and to provide for and document the creation, acquisition, disposition, exercise and redemption of transferable development rights, including: (1) procedures for the filing of development rights certificates with the municipal clerk and recording with the registry of deeds or registration in the registry

district, as applicable, for both the land from which development rights are extinguished and the land to which such rights are transferred; (2) procedures for documenting the recording or registration of the original restriction or restrictive covenant as required in clause (C); and (3) procedures, including any limitations, for the exercise of transferable development rights in the event of subsequent amendments to zoning ordinances and bylaws affecting the development authorized by the transferable development right.

(c) To apply for a loan from the fund, an eligible municipality shall submit an application that certifies, at a minimum, that the municipality shall:

(i) follow the provisions of chapter 30B when acquiring or disposing of transferable development rights;

(ii) commit, through approval of the local legislative body, to repay any loan from the fund under the terms then specified;

(iii) keep permanent records of all restrictions recorded and transferable development rights created, acquired, held, sold, disposed or exercised, and report on these activities to the secretary in a manner directed by the secretary; and

(iv) keep permanent records of all financial transactions involving the municipal transfer of development rights revolving fund and report on these transactions and fund balances to the secretary in a manner directed by the secretary.

(d) Loans from the fund shall carry 0 per cent interest for the first 5 years from the date of origination, and the prime rate plus 1 per cent from the sixth to the tenth year from the date of origination. A municipality that has not repaid its loan within 10 years of the

origination date shall be considered in default. In addition to other remedies specified under any loan agreement, if a municipality shall fail to pay to the fund any principal, interest or other charges payable under a loan or loan agreement, when due and after demand, the secretary may certify to the state treasurer the amount owed by the municipality to the fund and may request that the state treasurer reduce annual local aid to the recipient by the amount necessary to repay the principal, interest or other charges owed over a 10 year period. The state treasurer shall promptly pay over to the secretary for deposit in the fund, without further appropriation, local aid distributions in the amounts requested by the secretary and otherwise certified to the state treasurer as payable to the municipality.

Governor disapproved of the following section, for message see H4844

~~SECTION 6. Section 7 of chapter 21H of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-~~

~~(b) The department shall establish an agricultural composting program. The department may: (i) establish state and local composting projects, (ii) a demonstration agricultural composting program and (iii) accept applications for grants from municipalities for the purposes of creating agricultural composting projects. The department, in consultation with the department of agriculture resources, shall promulgate rules and regulations for the operation of state, local and demonstration agricultural composting programs. The department of~~

~~environmental protection shall not delegate regulatory authority to any other executive agency or allow for exception from such regulations for any type of composting operation.~~

SECTION 7. Section 1 of chapter 21N of the General Laws, as so appearing, is hereby amended by striking out the definition of “Allowance” and inserting in place thereof the following 2 definitions:-

“Adaptation”, adjustments in natural or human systems in response to actual or expected climatic stimuli and associated impacts, including but not limited to changes in processes, practices and protocols to increase resiliency of built and natural structures, moderate potential damages or benefit from opportunities associated with climate change.

“Allowance”, an authorization to emit, during a specified year, up to 1 ton of carbon dioxide equivalent.

SECTION 8. Said section 1 of said chapter 21N, as so appearing, is hereby further amended by inserting after the definition of “Greenhouse gas emissions source” the following definition:-

“Hazard mitigation”, any action that reduces or eliminates long-term risks caused by natural or man-made disasters.

SECTION 9. Said section 1 of said chapter 21N, as so appearing, is hereby further amended by inserting after the definition of “Market-based compliance mechanism” the following definition:-

“Nature-based solutions”, strategies that conserve, create, restore and employ natural resources to enhance climate adaptation, resilience and mitigation to mimic natural processes or work in tandem with

man-made engineering approaches to address natural hazards like flooding, erosion, drought and heat islands and to maintain healthy natural cycles to sequester and maintain carbon and other greenhouse gases.

SECTION 10. Said section 1 of said chapter 21N, as so appearing, is hereby further amended by inserting after the definition of “Secretary” the following definition:-

“State plan”, the integrated state climate adaptation and hazard mitigation plan which shall include the state hazard mitigation plan, required by the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, 42 U.S.C. section 5121, et seq., and any subsequent revisions of the plan developed pursuant to this chapter.

SECTION 11. Said section 1 of said chapter 21N, as so appearing, is hereby further amended by adding the following definition:-

“Vulnerability assessment”, an evaluation of degree of susceptibility to, or ability to cope with, adverse effects of climate change, such as climate variability and extremes, including an evaluation of adaptive capacity and subsequent adaptation strategies and options for the asset, system, institution or other subject being assessed.

SECTION 12. Said chapter 21N is hereby amended by adding the following 2 sections:-

Section 10. (a) The secretary and the secretary of public safety and security shall coordinate efforts across the commonwealth to strengthen the resiliency of communities, prepare for the impacts of

climate change and prepare for and mitigate damage from extreme weather events. The secretaries shall, every 5 years, publish a state plan that includes a statewide adaptation strategy incorporating: (i) observed and projected climate trends based on the best available data, including but not limited to, extreme weather events, drought, coastal and inland flooding, sea level rise and increased storm surge, wildfire and extreme temperatures; (ii) risk analysis and vulnerability assessment of: (A) key physical assets and functions of state government, municipalities and local economies; (B) natural resources; and (C) the built environment; provided, however, that the analysis and assessment shall include key findings from vulnerability assessments conducted pursuant to subsection (b); (iii) an evaluation of the commonwealth's capacity to respond and adapt to climate change impacts and opportunities; (iv) guidance and strategies for state agencies and authorities, municipalities and regional planning agencies to proactively address these impacts through adaptation and resiliency measures, including changes to plans, by-laws, regulations and policies; (v) clear goals, expected outcomes and a path to achieving results; (vi) approaches for the commonwealth to increase the resiliency of state government operations; (vii) policies and strategies for ensuring that adaptation and resiliency efforts complement and do not conflict with efforts to reduce greenhouse gas emissions and contribute to meeting statewide emission limits, established pursuant to this chapter; and (viii) strategies that conserve and sustainably employ the natural resources of the commonwealth.

(b) The secretary and the secretary of public safety and security shall: (i) establish and maintain a framework for each executive office established under section 2 of chapter 6A to complete a vulnerability

assessment for such office and each agency under the jurisdiction of such office to be incorporated into the state plan; (ii) establish and maintain a framework for each municipality in the commonwealth that chooses to complete a vulnerability assessment to incorporate the assessment, if the municipality so chooses, into the state plan; (iii) implement the state plan; and (iv) incorporate information learned from implementing the state plan in plan updates, including the experiences of executive offices, agencies, and municipalities in assessing and responding to climate change vulnerability.

(c) The secretary of each executive office established in section 2 of chapter 6A shall designate an employee to serve as the climate change coordinator of such office. Each climate change coordinator shall, under the leadership of the executive office of energy and environmental affairs and the executive office of public safety: (i) serve as such office's principal liaison regarding climate change mitigation, adaptation and resiliency efforts; (ii) assist in the development and implementation of the state plan; (iii) work with agencies under the jurisdiction of such office to complete vulnerability assessments for each agency and assist in incorporating these assessments into the state plan, on a schedule determined by the executive office of energy and environmental affairs and the executive office of public safety and security; and (iv) implement priority strategies and recommendations from the vulnerability assessment to moderate risk from climate change.

Section 11. (a) The secretary shall develop and support a municipal vulnerability preparedness grant program. The program shall consist of: (i) financial assistance to municipalities to complete a community-led resilience building process and vulnerability

assessment that enables climate change information and adaptation actions to be directly incorporated into existing municipal plans, policies and spending programs; (ii) technical planning guidance; (iii) a statewide catalogue of municipal climate vulnerabilities and impacts identified through the assessment process that may be incorporated into the state plan; and (iv) support for implementation projects to address vulnerabilities.

(b) A grant of financial assistance issued under this section shall be used to advance efforts to adapt land use, zoning, infrastructure, financial decision-making, policies and programs to reduce the vulnerability of the built and natural environment to changing environmental conditions that are a result of climate change.

(c) The secretary shall develop and implement an outreach and education program about climate change and its effects for low-income, environmental justice and urban communities to increase participation in the grant program established in this section.

SECTION 13. Section 3 of chapter 25A of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out the definition of “Alternative energy development” and inserting in place thereof the following 2 definitions:-

“Adaptation projects”, public infrastructure projects designed to mitigate adjustments in natural or human systems in response to actual or expected climatic stimuli and associated impacts including, but not limited to, changes in processes, practices and built and natural structures to increase resiliency, moderate potential damages or benefit from opportunities associated with climate change.

“Alternative energy development”, shall include, but not be limited to, solar energy, wood, alcohol, hydroelectric, biomass energy systems and renewable nondepletable and recyclable energy sources.

SECTION 14. Section 11C of said chapter 25A, as so appearing, is hereby amended by adding the following subsection:-

(e) The division of capital asset management and maintenance may contract for the procurement of capital improvements for adaptation projects in the manner provided in subsections (a) and (c). A local governmental body may contract for the procurement of capital improvements for adaptation projects in the manner provided in subsections (b) and (c).

SECTION 15. Section 1A of chapter 40A of the General Laws, as so appearing, is hereby amended by inserting after the definition of “Special permit granting authority” the following 2 definitions:-

“Transfer of development rights”, the process by which the owner of a parcel may convey development rights, extinguishing those rights on the first parcel and where the owner of another parcel may obtain and exercise those rights in addition to the development rights already existing on that second parcel.

“Transfer of development rights zoning” or “TDR zoning”, zoning that authorizes transfer of development rights by permitting landowners in specific preservation areas identified as sending areas to sell their development rights to landowners in specific development districts identified as receiving areas.

SECTION 16. Section 9 of said chapter 40A, as so appearing, is hereby amended by inserting after the word “interests”, in line 34, the following words:- ; provided, however, that nothing herein shall

prohibit a zoning ordinance or by-law from allowing transfer of development rights to be permitted as of right without the need for a special permit or other discretionary zoning approval.

SECTION 17. Section 6F of chapter 62 of the General Laws, as so appearing, is hereby amended by inserting after the word “under”, in line 52, the following words:- subsection (a) or (c) of.

SECTION 18. Section 5 of chapter 65C of the General Laws, as so appearing, is hereby amended by striking out subsection (c) and inserting in place thereof the following 2 subsections:-

(c) If the gross estate of a decedent dying on or before December 31, 2018 includes real property devoted to use as a farm for farming purposes, the estate may elect to value such property in accordance with section 2032A of the Code in effect on January 1, 1985. If a federal return is required to be filed, such election shall be consistent with the election made for federal estate tax purposes. All substantive and procedural provisions of said section 2032A shall, insofar as pertinent and consistent, apply to such election. The commissioner shall promulgate regulations to carry out this subsection.

(d)(1) As used in this subsection, the following words shall have the following meanings unless the context clearly requires otherwise:

“Applicable date”, the date upon which the 10-year period that the estate shall be liable for assessment under paragraph (4) begins; provided, however, that for qualifying agricultural and associated land, the applicable date shall be the date of death of the decedent; and provided further, that for qualifying noncommitted land, the applicable date shall be 2 years from the date of death of the decedent.

“Associated land”, land under the same ownership as and contiguous to qualifying agricultural land and which, as of the date of death of the decedent, is not committed to residential, industrial or commercial use; provided, however, that land shall be deemed contiguous if it is separated from other land under the same ownership only by a public or private way or waterway; provided further, that land under the same ownership shall be deemed contiguous if it is connected to other land under the same ownership by an easement for water supply; and provided further, that any such land in excess of 100 per cent of the acreage of qualifying agricultural land shall be deemed qualifying noncommitted land.

“Closely-held agricultural land”, qualifying agricultural and associated land and qualifying noncommitted land for which an election is made under this subsection.

“Qualifying agricultural land”, land which meets the definition of forest land under chapter 61, land actively devoted to agricultural, horticultural or agricultural and horticultural uses under chapter 61A and recreational land under chapter 61B that is also used for farming or agriculture as defined in section 1A of chapter 128 and has been devoted to any such use for not less than 2 of the tax years immediately preceding the death of the decedent; provided, however, that the land need not be classified by municipal assessors as forest land under chapter 61, land actively devoted to agricultural or horticultural or agricultural and horticultural uses under said chapter 61A or recreational land under said chapter 61B to qualify for valuation as closely-held agricultural land under this subsection.

“Qualifying noncommitted land”, land that is not qualifying agricultural land and is not committed to residential, industrial or commercial use, including associated land in excess of 100 per cent of the acreage of qualifying agricultural land.

“Savings”, the difference between the estate taxes paid as a result of an election made under this subsection and the estate taxes that would have otherwise been paid had the election not been made.

(2) If the gross estate of a decedent dying on or after January 1, 2019 includes real property that is qualifying agricultural land, associated land or qualifying noncommitted land, the estate may elect to value such property, or any portion thereof, as closely-held agricultural land pursuant to the valuation set by the farmland valuation advisory commission established in section 11 of chapter 61A for the fiscal year of the most recent growing season. The value of closely-held agricultural land as determined pursuant to such election shall only be for the purpose of computing the tax due under this chapter. Such election shall be subject to paragraphs (3) to (6), inclusive.

(3) Unless the property is restricted by a nondevelopment covenant that: (i) is approved by the commissioner of agriculture; (ii) is for the purposes of maintaining the land in agricultural use; (iii) precludes non-agricultural development of the land; (iv) is recorded at the registry of deeds in the counties or districts in which the property is located; and (v) does not expire within 10 years of the applicable date, the commissioner shall forthwith cause to be recorded in the registry of deeds of the counties or districts in which the property is situated a statement which shall constitute a lien upon the land

covered by election under this subsection. The statement shall include any owners of record, the savings as a result of such election, the fair market value of the property and a description of the land adequate for identification. Unless such a statement is recorded, the lien shall not be effective with respect to a bona fide purchaser or other transferee without actual knowledge of the lien. Upon application by a record owner, any such lien shall be released by the commissioner with respect to that property upon the facts being established by record or by affidavit or otherwise that all assessments have been paid or unless it is more than 10 years past the applicable date and no assessment is due. All recording fees paid under this subsection, whether for statements of liens, certificates, releases or otherwise, shall be borne by the owner of record of the land.

Property restricted by an agricultural preservation restriction as defined in section 31 of chapter 184 that is signed by the commissioner of agriculture shall be deemed to be restricted by a nondevelopment covenant if the restriction: (i) is approved by the commissioner of agriculture; (ii) is for the purposes of maintaining the land in agricultural use; (iii) precludes non-agricultural development of the land; (iv) is recorded at the registry of deeds in the counties or districts in which the property is located; and (v) does not expire within 10 years of the applicable date.

(4)(i) When land valued as closely-held agricultural land under this subsection within a period of 10 years from the applicable date is sold for other use or no longer qualifies as closely-held agricultural land, any owners shall immediately notify the commissioner of such sale or change of use and an assessment shall be due to the

commonwealth. Such assessment shall be calculated with interest based on the date of sale for other use or based on the last date of use as closely-held agricultural land as specified in this paragraph.

The assessment shall be equal to 100 per cent of the savings if such date is not more than 1 year after the applicable date; 90 per cent of the savings if such date is more than 1 year but not more than 2 years after the applicable date; 80 per cent of the savings if such date is more than 2 years but not more than 3 years after the applicable date; 70 per cent of the savings if such date is more than 3 years but not more than 4 years after the applicable date; 60 per cent of the savings if such date is more than 4 years but not more than 5 years after the applicable date; 50 per cent of the savings if such date is more than 5 years but not more than 6 years after the applicable date; 40 per cent of the savings if such date is more than 6 years but not more than 7 years after the applicable date; 30 per cent of the savings if such date is more than 7 years but not more than 8 years after the applicable date; 20 per cent of the savings if such date is more than 8 years but not more than 9 years after the applicable date; 10 per cent of the savings if such date is more than 9 years but not more than 10 years after the applicable date. No assessment shall be due if such date is more than 10 years from the applicable date.

Such assessment shall also include interest calculated at a simple interest rate of 5 per cent per annum on the savings from the applicable date.

There shall be an additional assessment equal to 30 per cent of the savings if the date of sale for other use or the last date of use while qualified as closely-held agricultural land occurs not more than 1 year

of the applicable date and 15 per cent of the savings if such date occurs more than 1 year but not more than 2 years after the applicable date.

(ii) If an election has been made with respect to: (A) qualifying non-committed land which, on the applicable date, fails to meet the definition of forest land under chapter 61; (B) land actively devoted to agricultural or horticultural or agricultural and horticultural uses under chapter 61A; or (C) recreational land under chapter 61B that is also used for farming or agriculture as defined in section 1A of chapter 128, an assessment shall be due to the commonwealth and payable by the owners not more than 30 days of the applicable date; provided, however, that the land need not be classified by municipal assessors as forest land under said chapter 61, land actively devoted to agricultural or horticultural or agricultural and horticultural uses under said chapter 61A or recreational land under said chapter 61B. Such assessment shall be equal to the sum of: (I) 100 per cent of the savings; (II) interest calculated at a simple interest rate of 5 per cent per annum on the savings from the date of death of the decedent; and (III) an additional assessment equal to 30 per cent of the savings.

(iii) Notwithstanding this paragraph, there shall be no assessment if the land involved, or a lesser interest in the land involved, is acquired for a natural resource by the commonwealth or by a nonprofit conservation organization; provided, however, that if any portion of the land is sold or converted to commercial, residential or industrial use not more than 10 years after the applicable date by a nonprofit conservation organization, an assessment shall be imposed against the nonprofit conservation organization in the amount that would have been imposed at the time of acquisition of the subject parcel by the

nonprofit conservation organization had the transaction been subject to an assessment or, in the case of qualifying non-committed land acquired by a nonprofit conservation organization before the applicable date, the amount that would have been imposed on the applicable date under subparagraph (ii).

(iv) In the case of sale for other use of closely-held agricultural land, other than qualifying noncommitted land sold for other use before the applicable date, assessments imposed by this subsection shall be due and payable by the grantor at the time of transfer of the property by deed or other instrument of conveyance. In the case of qualifying non-committed land sold for other use before the applicable date, assessments imposed by this subsection shall be due and payable by the grantor on the applicable date. In the case of change to a non-qualifying use, assessments imposed by this subsection shall be due and payable by the owners not more than 30 days after the last date of use as closely-held agricultural land, regardless of the date on which the commissioner was notified by the owners of such change of use.

(v) An assessment shall only be imposed under this subsection on that portion of the land on which the use has changed. If, by conveyance or other action of the owner thereof, a portion of land which is valued as closely-held agricultural land under this subsection is separated for other use, the land so separated shall be subject to liability for assessment, interest and additional assessment under this paragraph based on the proportion that the acreage of the land so separated bears to the total acreage of the land valued as closely-held agricultural land under this subsection.

(5) All buildings located on land which is valued as closely-held agricultural land under this subsection and all land occupied by a dwelling or regularly used for family living shall not be valued as provided in this subsection.

(6) The commissioner shall promulgate regulations to carry out this subsection.

SECTION 19. Section 25 of chapter 90B of the General Laws, as so appearing, is hereby amended by inserting after the word “way,” in line 44, the following words:- or upon, but to the extreme right of, such travelled portion.

SECTION 20. The fourth paragraph of said section 25 of said chapter 90B, as so appearing, is hereby further amended by adding the following 2 sentences:- This paragraph shall also apply to any portion of a public way designated by the governmental entity with jurisdiction over the public way, with approval of the chief of police of the municipality in which such portion lies, to permit travel by a recreational vehicle from 1 authorized operating area to another or to permit access by a recreational vehicle to essential services, including fuel, food and lodging, from an authorized operating area. The designated portion shall be the minimum distance necessary to permit such travel or access but shall not exceed 4 miles.

SECTION 21. Chapter 92 of the General Laws is hereby amended by inserting after section 34C the following section:-

Section 34D. There shall be a Christian A. Herter Park Trust Fund, which shall be used for the purposes of advancing recreational, educational and conservation interests including, but not limited to, the construction and maintenance of facilities and infrastructure

improvements for Christian A. Herter park within the Charles River Reservation; provided, however, that not less than 50 per cent of the trust shall be used for the Friends of Herter Park, Inc. The trust shall receive, hold and expend all fees generated by permits, licenses and all other agreements not currently being directed to the General Fund relating to the use of the Christian A. Herter Park land as authorized by the commission. The department shall not make expenditures from this fund so as to cause the fund to be deficient.

Governor returned the following section with recommendation of amendment, for message see H4844

~~SECTION 22. Chapter 94 of the General Laws is hereby amended by inserting after section 13E the following section:-~~

~~Section 13F. (a) A dairy farmer manufacturing raw milk for human consumption shall be licensed under section 16A and under section 5 of chapter 94A. A licensed raw milk farmer may deliver raw milk directly to a consumer, off site from the farm if the raw milk farmer has a direct, contractual relationship with the consumer. The raw milk farmer may contract with a third party for such delivery; provided, however, that the raw milk farmer shall maintain the contractual relationship with the consumer. The raw milk farmer may deliver raw milk through a community supported agriculture delivery system; provided, however, that the raw milk farmer shall maintain a contractual relationship with the consumer. Delivery may be made directly to the consumer's residence or to a pre-established receiving site. A receiving site shall not be in a retail setting, with the exception~~

~~of a community supported agriculture delivery system, in which case the raw milk shall be kept separate from retail items for sale and shall not be accessible to the general public.~~

~~(b) A raw milk farmer may sell raw milk from the farmer's farm stand even if the stand is not contiguous to the farmer's raw milk dairy; provided, however, that the farmer shall comply with section 3 of chapter 40A.~~

~~(c) The department of agricultural resources and the department of public health, acting jointly, shall adopt and promulgate rules and regulations governing the handling, packaging, storage, testing and transportation of raw milk; provided, however, that any delivery vehicle transporting raw milk shall comply with the inspection requirements set forth in sections 33, 35 and 40.~~

~~(d) The label on any raw milk sold pursuant to this section shall contain: (i) the identity of the farm where the raw milk was packaged, including the licensee's name, address and license number; and (ii) the following warning: "Raw milk is not pasteurized. Pasteurization destroys organisms that may be harmful to health."~~

SECTION 23. Chapter 129 of the General Laws is hereby amended by striking out section 18, as appearing in the 2016 Official Edition, and inserting in place thereof the following section:-

Section 18. (a) Each inspector shall comply with and enforce all orders and regulations as directed by the director.

(b) The director shall establish mandatory training programs for all municipal animal inspectors. Such training shall be designed to ensure that inspections are conducted on a consistent basis and that inspectors are educated on matters including, but not limited to,

animal health and welfare. Each municipal animal inspector shall complete such training not more than 90 days after appointment and every 2 years thereafter. The director may require additional training for animal inspectors as needed.

(c) An inspector who refuses or neglects to comply with this section shall be punished by a fine of not more than \$500.

SECTION 24. Said chapter 129 is hereby further amended by striking out section 25, as so appearing, and inserting in place thereof the following section:-

Section 25. Each inspector shall keep a record of all inspections made of animals pursuant to this chapter. The director shall provide forms in any manner, electronic format or medium necessary to implement this section, including any forms or records to be utilized and kept by inspectors; provided, however, that such forms and records shall be retained for at least 10 years in an electronic database implemented and maintained by the director.

SECTION 25. Section 2 of chapter 130 of the General Laws, as so appearing, is hereby amended by striking out the fourth and fifth paragraphs and inserting in place thereof the following paragraph:-

Whoever violates this chapter shall, unless otherwise provided, be: (i) punished by a fine of not less than \$400 but not more than \$10,000 or by imprisonment in the house of correction for not more than 2 ½ years or by both such fine and imprisonment; or (ii) liable for a civil penalty not to exceed \$10,000 for each violation. Such civil penalty may be assessed in an action brought on behalf of the commonwealth in the superior or district court.

SECTION 26. Section 13 of said chapter 130, as so appearing, is hereby amended by striking out the third paragraph.

SECTION 27. Said chapter 130 is hereby further amended by striking out section 18, as so appearing, and inserting in place thereof the following section:-

Section 18. No person shall, without right, enter in or upon any building or other structure or any area of land, flats or water, set apart and used by or under authority of the director for conducting scientific experiments or investigations or for the propagation or protection of fish or, contrary to regulations, fish in waters so set apart and used after the director has caused printed notice of such occupation and use and the purposes thereof to be placed in a conspicuous position upon any such building or other structure or adjacent to any such area of land, flats or water. No person shall injure or deface any such building or other structure or any notice so posted, and no person shall injure or deface any property used in any such experiment or investigation or for such purposes or otherwise interfere with any property used in any such experiment or investigation or for such purposes.

SECTION 28. Section 19 of said chapter 130, as so appearing, is hereby amended by striking out the fifth paragraph.

SECTION 29. The sixth paragraph of said section 19 of said chapter 130, as so appearing, is hereby amended by striking out the third sentence.

SECTION 30. Section 21 of said chapter 130, as so appearing, is hereby amended by striking out the fifth paragraph.

SECTION 31. Said chapter 130 is hereby further amended by striking out section 23, as so appearing, and inserting in place thereof the following section:-

Section 23. Except in the case of emergency imperiling life or property or an unavoidable accident or except in accordance with the terms of a permit issued pursuant to state or federal water pollution control laws, no person shall, from any source: (i) put, throw, discharge or suffer or permit to be discharged or permit the escape of any oil, poisonous or other injurious substance into any coastal waters; provided, however, that such substances shall include, but not limited to, sawdust, shavings, garbage, ashes, acids, sewage and dye-stuffs, whether simple, mixed or compound, or heated effluent, which directly or indirectly materially injures fish, fish spawn or seed therein; (ii) take any such fish by any such means; (iii) kill or destroy fish in any such waters by the use of dynamite or other explosives; (iv) take any such fish in such waters by such means; or (v) explode dynamite or other explosive in such waters.

SECTION 32. Section 29 of said chapter 130, as so appearing, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

No person shall construct or maintain a weir, pound net or fish trap in the tidewater unless in accordance with this section.

SECTION 33. Section 30 of said chapter 130, as so appearing, is hereby amended by striking out the second sentence.

SECTION 34. Said chapter 130 is hereby further amended by striking out section 31, as so appearing, and inserting in place thereof the following section:-

Section 31. No person shall, without the consent of the owner, take, use, destroy, injure or molest a weir, pound net, fish trap, seine, set net or lobster or crab pot or other fishing gear, or a fish car or other contrivance used for the purpose of storing fish, including any such fishing gear which is swept ashore by storm or tide or other natural causes and deposited upon the shore, beaches or flats, whether public or private, or take fish therefrom.

SECTION 35. Section 33 of said chapter 130, as so appearing, is hereby amended by striking out the last sentence.

SECTION 36. Section 34 of said chapter 130, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Between March 15 and June 15, inclusive, no person shall catch or take any smelt from the waters of the commonwealth or buy, receive, sell or offer or expose for sale, transport or possess a smelt so taken.

SECTION 37. Section 35 of said chapter 130, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

No person shall take or attempt to take a smelt in any other manner than by angling. This section shall not apply to smelt inadvertently taken in a seine or net during the time and in the manner in which fishing is allowed for perch, herring or alewives; provided, however, that such smelt so taken shall be immediately liberated alive in the waters from which it was taken.

SECTION 38. Section 36 of said chapter 130, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- No person shall molest or

disturb smelt or their spawn within such closed areas.

SECTION 39. The fourth paragraph of section 37 of said chapter 130, as so appearing, is hereby amended by striking out the first sentence.

SECTION 40. Section 38 of said chapter 130, as so appearing, is hereby amended by striking out, in lines 82 to 84, inclusive, the words “, and upon failure to do so shall be punished by a fine of not less than twenty-five nor more than one hundred dollars or imprisonment for one month or both”.

SECTION 41. Section 38A of said chapter 130, as so appearing, is hereby amended by striking out the last paragraph.

SECTION 42. Section 39 of said chapter 130, as so appearing, is hereby amended by striking out the last sentence.

SECTION 43. Section 40 of said chapter 130, as so appearing, is hereby amended by striking out the last sentence.

SECTION 44. Section 47 of said chapter 130, as so appearing, is hereby amended by striking out the third sentence.

SECTION 45. Said chapter 130 is hereby further amended by striking out section 49, as so appearing, and inserting in place thereof the following section:-

Section 49. No carrier shall knowingly receive or carry from place to place any lobster or lobster meat in barrels, boxes or other containers not marked as provided in section 47.

SECTION 46. Section 51 of said chapter 130, as so appearing, is hereby amended by striking out the last sentence.

SECTION 47. Section 51A of said chapter 130, as so appearing, is hereby amended by striking out the last sentence.

SECTION 48. Said chapter 130 is hereby further amended by striking out sections 66 and 67, as so appearing, and inserting in place thereof the following 2 sections:-

Section 66. No person shall willfully injure, deface, destroy or remove any mark or bound used to define the extent of any shellfish license or grant, or place any unauthorized mark thereon, or tie or fasten any boat or vessel thereto. Any person who violates this section shall be liable in tort for double damages and costs to the licensee or transferee injured by the violation.

Section 67. No person shall, without the consent of the licensee or transferee, as the case may be: (i) work a dredge, oyster tongs, rake or other implement for the taking of shellfish of any description upon any shellfish grounds or beds covered by a license granted under section 57 or any corresponding provision of earlier law; (ii) in any way, disturb the growth of the shellfish thereon; (iii) discharge any substance which may directly or indirectly injure the shellfish upon any such grounds or beds; or (iv) while upon or sailing over any such grounds or beds, cast, haul, or have overboard any such dredge, tongs, rake or other implement for the taking of shellfish of any description, under any pretense or for any purpose.

SECTION 49. Section 68 of said chapter 130, as so appearing, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

No person shall, without the consent of the licensee or transferee, dig or take any shellfish or shells from any waters, flats or creeks described in a license granted under section 57 or any corresponding provision of earlier law, during the continuance of the license or of a renewal thereof.

SECTION 50. Section 70 of said chapter 130, as so appearing, is hereby amended by striking out the last sentence.

SECTION 51. Section 71 of said chapter 130, as so appearing, is hereby amended by striking out the last sentence.

SECTION 52. Section 72 of said chapter 130, as so appearing, is hereby amended by striking out the last sentence.

SECTION 53. The second paragraph of section 75 of said chapter 130, as so appearing, is hereby amended by striking out the first and second sentences and inserting in place thereof the following sentence:-

Whoever, without a permit as provided in this section or contrary to such permit, digs or takes shellfish for any purpose from any area determined under section 74 or section 74A or under any corresponding provision of earlier law to be contaminated, while such determination is in force, and whoever knowingly transports or causes to be transported or has in their possession or offers for sale shellfish so dug or taken shall be punished by imprisonment in a jail or house of correction for not more than 2 ½ years or by imprisonment in the state prison for not more than 3 years, by a fine of not less than \$500 and not more than \$10,000 or by both such fine and imprisonment.

SECTION 54. Section 80 of said chapter 130, as so appearing, is hereby amended by striking out, in lines 73 and 74, the words “ten dollars nor more than ten thousand dollars” and inserting in place thereof the following words:- \$400 and not more than \$10,000.

SECTION 55. Section 81 of said chapter 130, as so appearing, is hereby amended by striking out, in lines 21 and 22, the words “one hundred nor more than ten thousand dollars” and inserting in place thereof the following words:- \$400 and not more than \$10,000.

SECTION 56. Section 82 of said chapter 130, as so appearing, is hereby amended by striking out, in lines 18 and 19, the words “one hundred nor more than ten thousand dollars” and inserting in place thereof the following words:- \$400 and not more than \$10,000.

SECTION 57. Section 92 of said chapter 130, as so appearing, is hereby amended by striking out the first and second paragraphs and inserting in place thereof the following paragraph:-

No person shall sell, exchange, transport or deliver and no person shall offer or expose for sale, exchange or delivery or have in their custody or possession with intent to sell, exchange, transport or deliver any scallops or sea scallops which have been soaked and shall tag such scallops in accordance with regulations promulgated by the director.

SECTION 58. Said chapter 130 is hereby further amended by striking out section 95, as so appearing, and inserting in place thereof the following section:-

Section 95. No person shall take, kill, haul onshore, disturb, injure, hinder or obstruct the passage of any herring, alewives or other swimming marine food fish in a fishery created by a city or town,

without the permission thereof or that of its lessees, in a fishery legally established by a corporation, without the permission of such corporation or in a public fishery regulated and controlled by a city or town, contrary to its regulations.

Proceedings under this section shall be commenced within 30 days after the commission of the offense.

SECTION 59. Section 99 of said chapter 130 is hereby repealed.

SECTION 60. Section 100A of said chapter 130, as appearing in the 2016 Official Edition, is hereby amended by striking out the last sentence.

SECTION 61. Section 100B of said chapter 130, as so appearing, is hereby amended by striking out the last sentence.

SECTION 62. Section 100C of said chapter 130, as so appearing, is hereby amended by striking out the last sentence.

SECTION 63. Section 100D of said chapter 130, as so appearing, is hereby amended by striking out the last paragraph.

SECTION 64. Said chapter 130 is hereby further amended by striking out section 102, as so appearing, and inserting in place thereof the following section:-

Section 102. No person shall harvest for sale or engage in the aquaculture of marine plants except in accordance with any regulations adopted by the director and subject to a permit or written approval issued by the director.

SECTION 65. Section 103 of said chapter 130 is hereby repealed.

SECTION 66. Subdivision (2) of section 2D of chapter 132A of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the following sentence:- The commissioner may also offer discounts or waive charges or fees for parking passes for veterans as defined in section 6A of chapter 115.

SECTION 67. Section 14A of chapter 132B of the General Laws, as so appearing, is hereby amended by striking out subsections (a) and (b) and inserting in place thereof the following 2 subsections:-

(a) Notwithstanding this chapter, the department may assess a civil administrative penalty, not to exceed \$1,000 per violation, on any person who violates this chapter or any regulations promulgated pursuant to this chapter; provided, however, that such penalty shall not be assessed within a 1-year period until after that person has received 1 warning for the same violation from the department. Each day a violation continues shall constitute a separate violation.

(b) The remedies provided in this section shall be available in addition to any other penalties or remedies provided by law or equity. The department may adopt and promulgate regulations to effectuate the purposes of this section.

SECTION 68. Subsection (c) of said section 14A of said chapter 132B, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

This penalty shall be assessed in addition to any other civil penalty otherwise provided for by law. Notice of assessment of a penalty pursuant to this section shall be made by service in hand, or by certified mail, return receipt requested, and shall state the amount of the administrative penalty, the date the penalty shall be due, a

statement of the violator's right to an adjudicatory hearing pursuant to chapter 30A regarding the assessment, a statement of the actions the person may take in order to avoid assessment of additional penalties or to avoid waiving the right to a hearing relative to the penalty and the manner of acceptable payment if an election to waive a hearing is made.

SECTION 69. The fourth paragraph of section 44 of chapter 85 of the acts of 1994 is hereby amended by inserting after the word “Canton”, as appearing in section 127 of chapter 46 of the acts of 2015, the following words:- , Randolph Avenue Stables at 1333 Randolph avenue in the Blue Hills State Reservation in the town of Milton, 7 Brainard street in the Stonybrook State Reservation in the Hyde Park section of the city of Boston.

SECTION 70. Section 112 of chapter 123 of the acts of 2006 is hereby amended by inserting after the figure “7”, in line 6, the following words:- , chapter 30 and.

SECTION 71. Item 2300-0100 of section 2 of chapter 47 of the acts of 2017 is hereby amended by inserting after the word “county” the following words:- ; and provided further, that said \$1,000,000 shall not revert but shall be made available for the purposes of this project until June 30, 2019.

SECTION 72. To meet the expenditures necessary in carrying out section 2, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$1,748,000,000. All such bonds issued by the commonwealth shall be designated on their face, Environmental Loan Act of 2018, and shall

be issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2043. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 73. To meet the expenditures necessary in carrying out section 2A, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$211,000,000. All such bonds issued by the commonwealth shall be designated on their face, Climate Change Preparedness Loan Act of 2018, and shall be issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2043. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 74. To meet the expenditures necessary in carrying out section 2B, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$60,333,000. All such bonds issued by the commonwealth shall be designated on their face, Clean Water Loan Act of 2018, and

shall be issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2043. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 75. To meet the expenditures necessary in carrying out section 2C, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$150,000,000. All such bonds issued by the commonwealth shall be designated on their face, Commonwealth 21st Century Parks and Trails Act of 2018, and shall be issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2043. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 76. To meet the expenditures necessary in carrying out section 2D, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$55,000,000. All such bonds issued by the commonwealth

shall be designated on their face, Highway and Streets Projects Act of 2018, and shall be issued for a maximum term of years, not exceeding 10 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2033. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 77. To meet the expenditures necessary in carrying out section 2E, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$178,500,000. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Highway Act of 2018, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor recommends in a message to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2053, pursuant to said section 3 of said Article LXII. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Notwithstanding any other general or special law to the contrary, bonds issued under this section and interest thereon shall be general obligations of the commonwealth.

SECTION 78. Notwithstanding any general or special law to the contrary, the department of conservation and recreation shall conduct a study of a certain parcel of land that was conveyed pursuant to chapter 851 of the acts of 1977 to ensure that the current use of the

land complies with the terms of said chapter 851 and the terms of the conveyance executed pursuant to said chapter 851 and shall issue a report on its findings to the senate and house committees on ways and means not later than July 1, 2019.

SECTION 79. Notwithstanding any general or special law to the contrary, the commissioner of conservation and recreation may expend, without further appropriation, sums collected and held in accordance with chapter 673 of the acts of 1950 on repairs, replacements and improvements to the facilities and buildings on the Dilboy Stadium property in the city of Somerville.

SECTION 80. Notwithstanding section 30 of chapter 29 of the General Laws or section 65 of chapter 30 of the General Laws, a portion of the funds authorized in this act may be used for the costs associated with the purchase of title insurance and services for title examinations, reports and certifications; provided, however, that any executive department or state agency expending such funds shall maximize efforts and utilize all available means to minimize use of capital funds for such purposes.

SECTION 81. Notwithstanding any general or special law to the contrary, any executive department or state agency expending funds authorized in this act shall maximize efforts and utilize all available means to minimize use of capital funds to pay for services rendered by agency employees or consultants.

SECTION 82. Notwithstanding any general or special law to the contrary, upon acquiring any fee interest in land for purposes pursuant to Article XCVII of the Amendments to the Constitution, all state agencies, commissions and boards expending or receiving state funds

under this act shall obtain the approval of the secretary of energy and environmental affairs before implementing or endorsing any prohibition of fishing, hunting or trapping on that land and shall provide the secretary with written justification of the prohibition.

SECTION 83. The sums made available in sections 2 to 2E, inclusive, shall be available for expenditure in the 5 fiscal years following June 30 of the calendar year in which the appropriation is made and any portion of such appropriation representing encumbrances outstanding on the records of the state comptroller's office at the close of the fifth fiscal year may be applied to the payment thereof any time thereafter.

SECTION 84. Each agency acquiring land or an interest in land under this act may expend an amount not to exceed 5 per cent of the amount appropriated to that agency for the purpose of reimbursing nonprofit land conservation organizations or land trusts for reasonable expenses directly associated with the acquisition of land or interests in land subsequently conveyed to the commonwealth. Reimbursements shall be made at the discretion of the agency. The secretary of energy and environmental affairs shall determine by regulation what shall constitute reasonable expenses. If the commonwealth does not take title to the property through no fault of the nonprofit organization or the commonwealth, the commonwealth may reimburse the nonprofit organization for reasonable expenses associated with due diligence. An organization receiving a reimbursement under this section shall convey the land or interest in land to the agency for an amount not to exceed the actual purchase price paid by the organization for the land or interest in land in addition to any reimbursement received under this section.

SECTION 85. To provide for the continued availability of certain bond-funded spending authorizations which otherwise would expire, the unexpended balances of the following capital accounts are hereby extended through June 30, 2023, for the purposes of and subject to the conditions stated for these items in the original authorizations and any amendments to such authorizations: 2000-2010, 2000-2011, 2000-2012, 2000-2013, 2000-2014, 2000-2015, 2000-2016, 2000-2017, 2000-2018, 2000-2019, 2000-2020, 2000-2021, 2000-2022, 2000-2023, 2000-2024, 2000-2025, 2000-2026, 2000-2028, 2000-2029, 2000-2035, 2000-6966, 2000-6967, 2000-6969, 2000-7013, 2000-7014, 2000-7015, 2000-7016, 2000-7018, 2000-7022, 2000-7023, 2000-7024, 2000-7025, 2000-7026, 2000-7028, 2000-7029, 2000-7031, 2000-7051, 2000-7052, 2000-7053, 2000-7054, 2000-7055, 2000-7056, 2000-7057, 2000-7058, 2000-7059, 2000-7060, 2000-7061, 2000-7062, 2000-7063, 2000-7066, 2000-7070, 2200-2011, 2200-2014, 2200-2015, 2200-2017, 2200-2019, 2200-7011, 2200-7012, 2200-7013, 2200-7014, 2200-7015, 2200-7017, 2200-7018, 2200-7021, 2200-7023, 2200-7025, 2200-7991, 2240-8820, 2250-8820, 2250-8822, 2300-2010, 2300-2011, 2300-2012, 2300-2014, 2300-2017, 2300-7010, 2300-7011, 2300-7013, 2300-7014, 2300-7016, 2300-7017, 2300-7018, 2300-7020, 2300-7021, 2300-7023, 2300-7024, 2300-7025, 2300-7026, 2300-7027, 2300-7028, 2500-7011, 2500-7012, 2500-7013, 2500-7014, 2500-7023, 2500-7024, 2800-0103, 2800-0109, 2800-0611, 2800-2019, 2800-7011, 2800-7012, 2800-7013, 2800-7015, 2800-7016, 2800-7017, 2800-7018, 2800-7019, 2800-7022, 2800-7027, 2800-7031, 2800-7032, 2800-7035, 2800-7097, 2800-7098, 2800-7107, 2800-7108, 2800-7109, 2810-3302, 2810-7872, 2810-8802, 2820-1420, 2820-2011, 2820-

2012, 2820-8861, 2840-2013, 2840-2014, 2840-2019, 2840-2023, 2840-7017, 2840-7024, 2840-7026, 2840-7027, 2840-7993, 2850-6967, 2850-9951, 2890-2023, 2890-2040, 2890-7010, 2890-7011, 2890-7020, 2890-7035, 6720-1350, 6720-1335, 7100-3002, 9300-3909, 9300-7010, 9300-7030, 9300-7031, 9300-7909, 9300-7918, 9300-7919.

SECTION 86. (a)(1) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance, in consultation with the department of conservation and recreation, may grant nonexclusive permanent easements to the city of Quincy over portions of a certain parcel of land held for conservation and recreation purposes, such land being adjacent to the Furnace Brook and along the Furnace Brook Parkway approximately from Dayton street in the north to Cross street in the south and as depicted on site plans entitled “Exhibit B – Furnace Brook Enhancements Permanent Easement Plans”, dated May 30, 2018, prepared by Woodard & Curran.

(2) The permanent easements shall be used solely for the operation and maintenance of the improvements associated with the flood control plan and grading established for flood compensation, subject to the requirements of this section and to such additional terms and conditions consistent with this section as the commissioner of capital asset management and maintenance may prescribe. Prior to granting any easement, the division of capital asset management and maintenance may make minor modifications to the plan and easement areas to carry out the purposes of this section.

(b) An independent appraisal of the fair market value and value in use of the easements described in subsection (a) shall be prepared in accordance with the usual and customary professional appraisal practices by a qualified appraiser commissioned by the commissioner of capital asset management and maintenance. Consideration for the grant of the easements described in said subsection (a) shall be the full and fair market value or the value in proposed use, whichever is greater, as determined by the commissioner of capital asset management and calculated with regard to its full development potential as assembled with other lands owned or otherwise controlled by the city. The commissioner of capital asset management and maintenance shall submit the appraisal to the inspector general for review and comment. The inspector general shall review and approve the appraisal and the review shall include an examination of the methodology utilized for the appraisal. The inspector general shall prepare a report of such review and file the report with the commissioner of capital asset management and maintenance for submission by the commissioner to the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight. The commissioner shall submit copies of the appraisal and the inspector general's review and approval and comments, if any, to the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight at least 15 days prior to the execution of any documents effecting the transfers described in said subsection (a).

(c) The city of Quincy shall compensate the commonwealth for the easements described in subsection (a) through the transfer to the department of conservation and recreation of land, an interest in land

or funding for the acquisition of land or an interest therein equal to or greater than the highest appraised value as determined under subsection (b). The fair market value of any land or interest in land proposed to be conveyed by the city to the department shall be included within the appraisal prepared pursuant to said subsection (b). The land, interest in land or funding shall be acceptable to the department of conservation and recreation and any land or interest in land, whether conveyed by the city or acquired by the department, shall be permanently held and managed for conservation and recreation purposes by the department. If the appraised value of any land or interest in land proposed for conveyance to the commonwealth are determined to be greater than the appraised value of the easements described in said subsection (a), the commonwealth shall have no obligation to pay the difference to the city. All payments paid to the commonwealth as a result of the conveyances or grants authorized in this section shall be deposited in the Conservation Trust established pursuant to section 1 of chapter 132A of the General Laws.

(d) The city of Quincy shall assume all costs associated with engineering, surveys, appraisals, deed preparation and other expenses deemed necessary by the commissioner of capital asset management and maintenance to execute the easements authorized in this section.

SECTION 87. The executive office of energy and environmental affairs shall submit an annual report detailing the progress of any projects funded through the authorizations of this act to the chairs of the joint committee on environment, natural resources and agriculture; the chairs of the senate and house committees on bonding; and the clerks of the house of representatives and the senate. The report shall include, but not be limited to, a description of any projects, previous

year planned spending, previous year spending, current year planned spending, current year spending to date, original estimated project cost, total project cost to date, type of spending, type of asset and predicted useful life of the project once completed. The initial report shall be submitted not later than December 30, 2018 and subsequent reports shall be submitted not later than June 30 of each year thereafter for 10 years after the effective date of this act.

SECTION 88. Notwithstanding any general or special law to the contrary, the director of marine fisheries, in consultation with the commissioner of fish and game, shall, not later than December 31, 2018, conduct and publish a study of the current lobster fishery and provide a recommendation as to the advisability of enacting statutory and regulatory changes to allow the processing of lobster parts, other than lobster tails weighing 3 ounces or more, for sale in the commonwealth. The study shall include an economic and market analysis of potential impacts and benefits, assessment of potential state and federal law enforcement issues associated with changes in legislation or regulations, an assessment on the impacts of such changes on interjurisdictional fisheries management and a review and analysis of the potential biological and population dynamics of the *Homarus americanus* species as a result of such changes.

SECTION 89. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Mohawk Trail Woodlands Partnership Fund, hereafter referred to as the Mohawk Trail Woodlands Partnership Fund. The fund shall be administered by the Mohawk Trail Woodlands Partnership Board as established pursuant to section 91. There shall be credited into the fund revenues or other financing sources directed to the fund by

appropriation, bond revenues or other monies authorized by the general court and specifically designated to be credited to the fund, any income derived from the investment of amounts credited to the fund and monies from the repayment of loans from the fund, funds from public or private sources including, but not limited to, gifts, federal or private grants, donations, rebates and settlements received by the commonwealth that are specifically designated to be credited to the fund and all other amounts credited or transferred into the fund from any other source. Amounts credited to said fund shall be held in an expendable trust and shall be used solely for implementing the purposes and administration of the Mohawk Trail Woodland Partnership established in section 91. Unexpended funds may be carried over from year to year to be expended in subsequent years without appropriation. No expenditure from the fund shall cause it to be in deficiency.

Governor returned the following section with recommendation of amendment, for message see H4844

~~SECTION 90. To capitalize the Mohawk Trail Woodland Partnership Fund established in section 89 and support the goals of the Mohawk Trail Woodland Partnership, the Partnership may receive funds from general appropriations, capital expenditure authorizations, grants or a combination thereof.~~

SECTION 91. (a) For the purposes of this section, the following terms shall unless the context clearly requires otherwise, have the following meanings:-

“Participating communities”, municipalities within the Mohawk Trail Woodlands Partnership Eligibility Area that affirmatively vote to participate in the activities of the Mohawk Trail Woodlands Partnership as described in subsection (c).

“Partnership”, a cooperative association among those entities and individuals working collaboratively to achieve the purposes described in subsection (b) in the Mohawk Trail Woodlands Partnership Area as described in subsection (c).

“Permanently protected open space”, land permanently protected from development including, but not limited to, state parks, state forests and state wildlife management areas, federally-conserved land, land owned by conservation organizations for conservation purposes, town or city-owned land under the jurisdiction of the town or city conservation commission for park or conservation use and privately-owned farm and forestland protected through the Agricultural Preservation Restriction Program or a conservation restriction.

“Sustainable forest management”, the carefully planned growing, management, monitoring, harvesting and regeneration of woodlands that conserves or promotes biological diversity, ecological functions, soil productivity, water and air quality, carbon sequestration and storage, and cultural resources and recreational use of the forest while also providing a continuous yield of a range of useable forest products; provided, however, that “Sustainable forest management” shall also consider the surrounding forest landscape.

(b) The purposes of the Mohawk Trail Woodlands Partnership are:

(i) to support and expand sustainable forest management to enhance public benefits including, but not limited to, outdoor recreation opportunities, air and water quality, watershed management, soil conservation, biological diversity, carbon sequestration and storage, fish and wildlife habitat, forest products and forestry-related jobs and to increase the resiliency of forests to threats such as fire, ice, wind, insects, disease and invasive pests and plants;

(ii) to increase forest land conservation through conservation restrictions that encourage and support sustainable forest management practices and intact forest ecosystems;

(iii) to support and increase sustainable natural resource based economic development and employment;

(iv) to support and provide comprehensive education and visitor information programs to increase public understanding of and appreciation for the ecological, recreational and economic benefits of forests;

(v) to support and promote the long-term social and fiscal sustainability of the participating communities in the area; and

(vi) to create a long-term partnership between towns and cities, regional and other organizations with a presence in the region, educational institutions, the executive office of energy and environmental affairs and the United States Forest Service.

(c) (1) To achieve the purposes identified in subsection (b), there shall be a Mohawk Trail Woodlands Partnership Area, which shall consist of 2 separate boundaries: (i) the Mohawk Trail Woodlands Partnership Eligibility Area; and (ii) the Mohawk Trail Woodlands Partnership Activities Area.

(2) The Mohawk Trail Woodlands Partnership Eligibility Area shall be comprised of the lands defined by the municipal boundaries of Adams, Cheshire, Clarksburg, Florida, New Ashford, North Adams, Peru, Savoy, Williamstown and Windsor in Berkshire county, and Ashfield, Buckland, Charlemont, Colrain, Conway, Hawley, Heath, Leyden, Monroe, Rowe, and Shelburne in Franklin county.

(3) The Mohawk Trail Woodlands Partnership Activities Area shall consist of the land in those municipalities described in the Mohawk Trail Woodlands Partnership Eligibility Area that have taken an affirmative vote of a town meeting or board of selectmen in the towns or the city council or mayor in the cities to participate in the activities of the Mohawk Trail Woodlands Partnership as specified in the Partnership Plan as defined in subsection (g).

(4) Municipalities within the Mohawk Trail Woodlands Partnership Eligibility Area shall have 2 years after the effective date of this section to affirmatively vote to participate in the activities of the Mohawk Trail Woodlands Partnership and become Participating Communities. Notwithstanding the preceding sentence, if a municipality within the Mohawk Trail Woodlands Partnership Eligibility Area does not vote affirmatively to participate in the activities of the Mohawk Trail Woodlands Partnership within 2 years after the effective date of this section, the municipality may affirmatively vote to become a Participating Community after 5 years have passed from the effective date of this section.

(5) The Mohawk Trail Woodlands Partnership Eligibility Area and the Mohawk Trail Woodlands Partnership Activities Area may be expanded 5 years after the effective date of this section by a 2/3 vote

of the entire partnership board established pursuant to subsection (e) and a majority vote of the partnership board members from the participating communities after the establishment of criteria for expansion by said the partnership board. Criteria for expansion shall include, but not be limited to, such factors as geographic proximity, forestry and natural resources and financial capacity of the partnership.

(d)(1) Programs and activities of the Mohawk Trail Woodlands Partnership shall, to the extent possible, be conducted in partnership and collaboration between the units of federal, state and local government including, but not limited to, the United States Forest Service, the commonwealth and its applicable subdivisions and others in accordance with the integrated partnership plan specified in subsection (g).

(2) Nothing in this section shall be construed to diminish, enlarge, or modify any right of the federal government, the commonwealth or any political subdivision thereof, to exercise civil and criminal jurisdiction or to carry out federal, state or local laws, rules, and regulations within the lands and waters included in the Mohawk Trail Woodlands Partnership Eligibility Area.

(e) (1) After 11 municipalities within the Mohawk Trail Woodlands Partnership Eligibility Area, as defined in subsection (c) (2), affirmatively vote to become Participating Communities, there shall be established a Mohawk Trail Woodlands Partnership Board whose purpose shall be to coordinate the partnership activities of participating federal, state and local authorities and the private sector

in the development and implementation of the programs and activities identified in an integrated partnership plan for the Mohawk Trail Woodlands Partnership Activities Area.

(2) The partnership board shall be composed of the following members:

(A) One individual, appointed by the respective board of selectmen or mayor from each of the participating communities;

(B) One individual, appointed by the Chief of the United States Forest Service, to represent the United States Forest Service, provided that federal legislation is enacted that authorizes the participation of the United States Forest Service;

(C) One individual, appointed by the secretary of energy and environmental affairs, to represent the executive office of energy and environmental affairs;

(D) One individual, appointed by the executive director of the Franklin Regional Council of Governments to represent the Franklin Regional Council of Governments;

(E) One individual, appointed by the executive director of the Berkshire Regional Planning Commission, to represent the Berkshire Regional Planning Commission;

(F) One individual, appointed by action of the board of directors of the Massachusetts Forest Alliance Limited, to represent the Massachusetts Forest Alliance Limited;

(G) One individual, appointed by action of the chair of the Massachusetts Chapter of the Yankee Division of the New England Society of American Foresters, to represent the Massachusetts Chapter

of the Yankee Division of the New England Society of American Foresters;

(H) One individual, appointed by action of the board of directors of the Franklin Land Trust, Inc., to represent the Franklin Land Trust;

(I) One individual, appointed by action of the board of directors of the Berkshire Natural Resources Council, Inc., to represent the Berkshire Natural Resources Council;

(J) One individual, appointed by action of the board of directors of the Greater Shelburne Falls Area Business Association, Inc., to represent the Greater Shelburne Falls Area Business Association;

(K) One individual, appointed by action of the board of directors of Lever, Inc., to represent Lever, Inc.;

(L) One individual, appointed by action of the board of directors of the Deerfield River Watershed Association, Inc., to represent the Deerfield River Watershed Association;

(M) One individual, appointed by action of the board of directors of the Hoosic River Watershed Association, Inc., to represent the Hoosic River Watershed Association;

(N) Two individuals to be appointed by the chancellor of the University of Massachusetts at Amherst or by the chancellor's designee, 1 of whom shall be a University of Massachusetts at Amherst School of Public Health and Health Sciences faculty member specializing in public health and 1 of whom shall be a University of Massachusetts at Amherst faculty member specializing in ecosystem functions, carbon cycling in terrestrial systems and climate change as it relates to forests;

(O) Should the names of any entity of the aforementioned members change, the replacement entity shall be considered a member, subject to the appointment of the appointing authority of that entity;

(P) Should any of the entities of the aforementioned members cease to exist, the partnership board may, by majority vote, name a like entity to represent the interests of the original member entity represented;

(3) The partnership board may, by 2/3 vote, allow additional members to the partnership board; provided, however, that the mission of the additional member aligns with the purposes identified in subsection (b); and provided further, that no additional members shall be allowed if the total number of members from those entities identified in clauses (B) through (P), exceeds those identified in clause (A).

(4) Members of the partnership board shall serve for terms of 3 years or until another representative is appointed from said appointing entity. Members may be re-appointed to serve for multiple terms.

The partnership board shall elect 1 of its members as chairperson and 1 as vice chairperson. The term of office of the chairperson and vice chairperson shall be 3 years. The vice chairperson shall serve as chairperson in the absence of the chairperson.

Any vacancy on the partnership board shall be filled in the same manner in which the original appointment was made.

(5) The partnership board shall meet not less than 2 times per year or at the call of the chairperson or a majority of its members. Meetings shall be open to the public.

A majority of the partnership board members shall constitute a quorum. For the purposes of meeting quorum requirements, vacancies shall not be counted to determine a majority.

Each member of the partnership board shall be entitled to 1 vote which shall be equal to every other member of the partnership board. All matters considered by the partnership board shall be decided by an affirmative vote of a minimum of a majority of the members present, except for those actions requiring a 2/3 vote as specified in this section.

(6) The partnership board shall:

(i) initiate the development, review and approval of the partnership plan as defined in subsection (g);

(ii) oversee implementation of the partnership plan as defined in subsection (g);

(iii) annually review and approve an annual budget that identifies the sources and uses of funds to implement the partnership plan; provided, however, that the annual budget shall indicate funding levels for each of the purposes identified in subsection (b);

(iv) designate a legally-established entity to serve as the administrative agent for the Mohawk Trail Woodlands Partnership as set forth in subsection (f); and

(v) designate a legally-established entity to serve as the fund manager for the Mohawk Trail Woodlands Partnership Fund.

(7) The partnership board shall establish an executive committee of the members of the partnership board. The executive committee shall consist of 5 members.

(A) The executive committee members shall consist of: 2 members appointed pursuant to clause (A) of paragraph (2) to be elected by the partnership board; 1 member from the United States Forest Service appointed pursuant to clause (B) of paragraph (2); 1 member from the executive office of energy and environmental affairs appointed pursuant to clause (C) of paragraph (2); and 1 member from the remaining members of the partnership board, appointed pursuant to clauses (D) to (P), inclusive, of paragraph (2), to be selected by the partnership board. The partnership board chair shall automatically be a member of the executive committee thereby filling the executive committee membership requirement for that membership slot, such that, if the partnership board chair is a member from a municipality appointed pursuant to clause (A) of paragraph (2), there shall only be 1 other member from a municipality appointed pursuant to said clause (A) of said paragraph (2) on the executive committee and such that if the partnership board chair is a member appointed pursuant to clauses (D) to (P) inclusive, of said paragraph (2) that member shall fulfill the executive committee membership requirement for members appointed pursuant to clauses (D) to (P), inclusive, of said paragraph (2).

(B) The executive committee shall provide direction to the administrative agent to conduct activities as described in subsection (f).

(C) The executive committee shall approve expenditures of the administrative agent as they relate to the implementation of the partnership plan.

(D) The executive committee shall approve the staff of the administrative agent working to implement the partnership plan.

(E) The executive committee shall provide regular reports to the partnership board.

(F) The executive committee may assume other responsibilities necessary to implement the partnership plan.

(8) The partnership board shall prepare and adopt, by a 2/3 vote, bylaws covering regular operating practices of the partnership board and the executive committee of the partnership board.

(f)(1) Within 1 year after the date of the establishment of the Mohawk Trail Woodlands Partnership Board and receipt of any federal or state appropriations, the Mohawk Trail Woodlands Partnership Board shall designate an existing or newly-created nonprofit entity to serve as the administrative agent for the Mohawk Trail Woodlands Partnership. Provided funding is available, the administrative agent shall, under the direction of the partnership board, implement the partnership plan. The Mohawk Trail Woodlands Partnership Board shall have the authority to designate a different entity as administrative agent by a 2/3 vote.

(2) The administrative agent shall, with the approval of the executive committee, be entitled to receive and expend funds from the Mohawk Trail Woodlands Partnership Fund, subject to the requirements set forth in subsection (h) for the purposes of implementing the partnership plan.

(3) Notwithstanding any other general or special law to the contrary and for the purposes of implementing the partnership plan, described in subsection (g), the administrative agent of the partnership

may seek and accept donations of funds, grants, revenue, property, or services from individuals, foundations, corporations and other private and public entities for the purpose of carrying out the partnership plan.

(4) For purposes of implementing the partnership plan described in subsection (g), the administrative agent of the partnership may enter into cooperative agreements with the federal government, the commonwealth, any political subdivision thereof, or with any organization or person.

(5) The administrative agent of the partnership shall provide the partnership with such staff and technical assistance as appropriate to enable the implementation of the partnership plan described in subsection (g). The administrative agent of the partnership may accept the services of personnel detailed from the United States Forest Service, including any branch or division thereof, the commonwealth, any political subdivision of the commonwealth, any entity represented on the partnership board or any other entity whose mission aligns with the purposes defined in subsection (b), subject to the approval of the partnership board.

(6) The administrative agent of the partnership may obtain, by purchase, rental, donation or otherwise, such property, facilities and services, including the acquisition of real property or interest in real property, as may be needed to implement the partnership plan.

(g)(1) Within 3 years after the establishment of the Mohawk Trail Woodlands Partnership Board and receipt of sufficient federal or state appropriations, the Mohawk Trail Woodlands Partnership shall develop a partnership plan for the Mohawk Trail Woodlands Partnership Activities Area to be implemented by the partnership.

- (2) The partnership plan shall include, but not be limited to each of the following:
- (A) a resource assessment, including to include:
 - (i) an assessment of natural resources, including forest resources, agricultural resources, water resources, important natural habitat areas and rare and important species;
 - (ii) an identification of conserved lands, including permanently protected open space and temporarily conserved lands; and
 - (iii) an assessment of recreational resources, including trails and associated recreational support facilities.
 - (B) a socioeconomic assessment of the participating municipalities, including population, income and employment;
 - (C) a fiscal assessment of the municipalities in the Mohawk Trail Woodlands Partnership Activities Area to include an assessment of municipal revenue, expenditures, services and taxes;
 - (D) an assessment of existing programs and activities and associated entities offered in the Mohawk Trail Woodlands Partnership Activities Area, including local, state and federal governmental units, nonprofit organizations and private interests that align with the purposes defined in subsection (b);
 - (E) an identification of policies, programs and activities to achieve the purposes defined in subsection (b), including those to:
 - (i) support and expand sustainable forest management practices in the Mohawk Trail Woodlands Partnership Activities Area;

- (ii) increase forest land conservation in the Mohawk Trail Woodlands Partnership Activities Area;
 - (iii) support and increase sustainable natural resource-based economic development and employment, including natural resource-based tourism, in the Mohawk Trail Woodlands Partnership Activities Area;
 - (iv) support educational and visitor information related to the Mohawk Trail Woodlands Partnership Activities Area;
 - (v) support and promote the long-term social and fiscal sustainability of the participating municipalities in the Mohawk Trail Woodlands Partnership Activities Area;
 - (vi) support and promote forest resilience and carbon sequestration and storage in the Mohawk Trail Woodlands Partnership Activities Area; and
 - (vii) define, quantify and support forest ecosystems in the Mohawk Trail Woodlands Partnership Activities Area;
- (F) a coordination and consistency component which details the ways in which programs, activities and policies of local, state, and federal governmental units, nonprofit organizations and private entities may best be coordinated to implement the partnership plan;
- (G) a financial component which details the costs and revenues of implementing the partnership plan, including, but not limited to:
- (i) costs to implement each of the programs and activities identified in clause (E);
 - (ii) associated capital costs;

(iii) associated operational costs, including costs of the administrative agent as defined in subsection (f);

(iv) any anticipated extraordinary or continuing costs;

(v) details of the sources of revenue including, but not limited to, appropriations from state and federal departments and agencies, investment or interest income, including receipts from the Mohawk Trail Woodlands Partnership Fund, grants, donations, loans, loan repayments, receipts from the private sector, receipts from any income-producing venture undertaken by the partnership and other sources of revenue;

(vi) a 5-year timetable of projected revenues and expenditures; and

(vii) an identification of the projected revenue, including amounts and projected earnings from the Mohawk Trail Woodlands Partnership Fund, to ensure the purposes of this section are sustained in perpetuity.

(3) In developing the partnership plan, the partnership shall:

(A) consult with appropriate officials of any local government or federal or state agency;

(B) consult with interested conservation, business, professional and citizen organizations; and

(C) conduct open meetings, advertised to the public, in the participating communities for the purposes of providing interested persons with the opportunity to comment on items contained in the partnership plan.

(4) The partnership board shall have authority to approve or disapprove the partnership plan.

(5) The partnership board shall review the partnership plan, no less than annually. The partnership plan shall be updated no less than every 10 years except that the partnership board may, by a majority vote, request the entire partnership plan or sections of the partnership plan be updated at any time.

(h)(1) For the purposes of carrying out this section, the Mohawk Trail Woodlands Partnership Fund may accept and receive receipts and donations of funds from:

(i) any public or private source, including, but not limited to, gifts, grants, property, supplies, revenue, or services from individuals, foundations, corporations and other private or public entities, including the commonwealth and agencies of the federal government;

(ii) federal appropriations, if authorized by companion federal law, federal reimbursements and grant-in-aid; and

(iii) interest and investment income earned from the Mohawk Trail Woodlands Partnership Fund.

(2) Deposits into the Mohawk Trail Woodlands Partnership Fund may be invested to generate income which may be utilized for any purpose consistent with the purposes of this section. Preference for investments of the Mohawk Trail Woodlands Partnership Fund shall be given to those that advance the purposes set forth in subsection (b).

(3) Funds from the Mohawk Trail Woodlands Partnership Fund shall be used as defined in the Partnership Plan, as updated or amended and may include establishment of or support for the following:

(i) An Investment Trust Fund, hereafter referred to as the Investment Trust Fund, to maintain the long term sustainability of the Mohawk Trail Woodlands Partnership. A sufficient amount of funding shall be invested and maintained in the Investment Trust Fund, as stated in the by-laws, to ensure the purposes of this section and the activities of the partnership are sustained in perpetuity.

(ii) A multi-purpose center, known as the “Mohawk Trail Forest Center” to provide tourism services, technical assistance to forestry and tourism businesses and forest landowners, technical assistance on implementing sustainable forest management practices, technical assistance with selling carbon credits from private and municipal forests credits, research and development, marketing, public education and space for the Administrative Agent as described in subsection (f);

(iii) One or more demonstration and research forests, including those to be established through agreements with the United States Forest Service or the executive office of energy and environmental affairs and its agencies, or both the United States Forest Service and the executive office of energy and environmental affairs, on an appropriate parcel of private, municipal or state land to be used to research and demonstrate exemplary sustainable forest management practices to other landowners and the public via tours, publications and other educational tools;

(iv) Forest land conservation via permanent conservation restrictions pursuant to sections 31, 32 and 33 of chapter 184 of the General Laws to be held by a municipality or a qualified nonprofit conservation land trust with a presence in the region or the commonwealth and associated restriction monitoring according to a

model conservation restriction contained in the partnership plan; provided, however, that boards of selectmen in the case of a town or the mayor in the case of a city in participating municipalities where more than 40 per cent of the total land area of the municipality is permanently protected open space, must approve the purchase of a permanent conservation restriction for any land receiving funds from the Mohawk Trail Woodlands Partnership Fund;

(v) Revolving Loan Fund program to support natural resource and forest-dependent businesses; provided, however, that any related forest management must use sustainable forest management practices;

(vi) Forest Viability Program with grants provided to forest-based businesses or landowners in exchange for temporary conservation restrictions on land development; provided, however, that any related forest management must use sustainable forest management practices;

(vii) Municipal Cooperative Agreements that provide annual grants to participating municipalities to support municipal services or operations related to the purposes of the partnership as defined in subsection (b);

(viii) Forest management plans that incorporate sustainable forest management practices, and other planning assistance, for landowners;

(ix) Natural resources-based recreation and tourism, including promotion; and

(x) Reimbursement of costs incurred by the administrative agent, as defined in subsection (f), for activities related to the partnership.

(4) A qualified fund manager shall be selected by the partnership board to manage the Investment Trust Fund according to appropriate standards to achieve a rate of return consistent with the safety of the fund and with a preference for local and regional investments that advance the purposes of the partnership set forth in subsection (b). Said fund manager shall prepare an annual report to the partnership board on said Investment Trust Fund.

(5) There shall be an independent audit prepared annually for the Mohawk Trail Woodlands Partnership Fund and associated Investment Trust Fund.

(6) Should the Mohawk Trail Woodlands Partnership cease to exist, the Mohawk Trail Woodlands Partnership Fund and associated Investment Trust Fund shall be dissolved and assets dispersed according to applicable state and federal law.

(7) No funding received or expended by the partnership shall be used for: (i) the construction or operation of a wood pellet or biomass manufacturing facility; or (ii) for the United States Government and its agency, the United States Forest Service to hold a fee interest in any real property in the Mohawk Trail Woodlands Partnership Activities Area.

Governor returned the following section with recommendation of amendment, for message see H4844

~~SECTION 92. There shall be a special commission to study and report on the feasibility of transferring ownership of Willett Pond and its appurtenances to the department of conservation and recreation to provide new public access for outdoor recreation and to preserve the~~

~~species and ecosystem of the pond. The study shall examine costs related to the transfer, including transferring ownership at no cost to the commonwealth.~~

~~The commission shall consist of: 3 persons to be appointed by the speaker of the house of representatives; 3 persons to be appointed by the president of the senate; the secretary of energy and environmental affairs or a designee; the commissioner of conservation and recreation or a designee; the commissioner of fish and game or a designee; the chairs of the boards of selectmen of the towns of Walpole, Westwood and Norwood or their designees; a representative from the Willett Pond Charitable and Protection Association, Inc. or a designee; a representative from the North Walpole Fish and Game Club, Inc. or a designee; a representative from the Neponset River Watershed Association, Incorporated or a designee. The commission shall submit its recommendations, including drafts of any proposed legislation, by filing the same with the clerks of the house of representatives and the senate not later than March 31, 2019.~~

SECTION 93. Notwithstanding any general or special law to the contrary, the department of environmental protection shall assess its authority to address impacts of a municipal withdrawal of water on bordering or nearby municipal surface water source affected by the withdrawal pursuant to a permit granted under chapter 21G of the General Laws and report its finding to the clerks of the house or representatives and the senate not later than December 31, 2018.

Governor returned the following section with recommendation of amendment, for message see H4844

~~SECTION 94. The Massachusetts Department of~~

~~Transportation shall review and issue a report on roadway lighting and lighting operational costs. The report shall include a review of warranting and other criteria for roadway lighting and an analysis of lighting operational costs, actions taken by the department to comply with current standards, procedures and accepted best practices relative to roadway lighting and a plan to reduce lighting operational costs through the replacement of existing lower wattage, fully shielded fixtures and the replacement of unnecessary roadway lighting with the installation of passive safety measures. The department shall issue its report to the department of energy resources and the clerks of the house of representatives and the senate not later than January 1, 2019.~~

Governor returned the following section with recommendation of amendment, for message see H4844

~~SECTION 95. (a) Notwithstanding any special or general law, there shall be a special commission, established and governed by section 2A of chapter 4 of the General Laws, to scope a state grant or low interest loan program for structural elevation or acquisition of properties prone to flooding in the commonwealth. Components of consideration for the structure of the program shall include: (i) funding sources; (ii) eligible expenses; (iii) applicant eligibility; (iv) the establishment of a cost benefit analysis in determining applicant eligibility; and (v) program expenditures and pay outs.~~

~~(b) The special commission shall consist of: 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 2 members of the senate, 1 of whom shall be appointed by the minority leader; the chair of the state board of building regulation and standards or a designee; 2 persons to be appointed by the director of the Massachusetts Emergency~~

~~Management Agency, 1 of whom shall be a contractor with experience in home elevations and 1 of whom shall be an insurance agent with knowledge in flood insurance and experience in guiding and consulting for mitigation activities; the acting state hazard mitigation officer of the state hazard mitigation team; the acting hazard mitigation grants supervisor of the state hazard mitigation team; a licensed lender with knowledge in flood insurance, 203K home loan lending and traditional loans used for mitigation activities who shall be appointed by the acting state hazard mitigation officer of the state hazard mitigation team; and 2 persons to be appointed by the governor, 1 of whom shall be a representative from a statewide environmental group and 1 of whom shall be a representative from the executive office of public safety and security with knowledge of the federal hazard mitigation grant program and experience with mitigation activities. The first meeting of the special commission shall take place not later than December 1, 2018.~~

~~(c) The special commission shall submit its preliminary draft of any recommendations or legislation to the clerks of the house of representatives and the senate and the joint committee on environment, natural resources and agriculture not later than December 1, 2019. The special commission shall submit its final draft of the program scope, together with any additional recommendations or drafts of legislation necessary to carry those recommendations into effect, by filing the same with the clerks of the house of representatives and the senate and the joint committee on environment, natural resources and agriculture not later than December 1, 2020.~~

SECTION 96. Notwithstanding any general or special law to the contrary, the secretary of energy and environmental affairs shall explore the feasibility of more extensive engagement with the United States Army Corp of Engineers to ensure beneficial reuse of dredged sand material. The study and any recommendations shall be submitted to the clerks of the house of representatives and the senate and the joint committee on environment, natural resources and agriculture not later than December 31, 2018.

SECTION 97. (a) There shall be a special legislative commission, established and governed by section 2A of chapter 4 of the General Laws, to make an investigation and study relative to ocean acidification. The commission shall: (i) identify the actual and potential effects of coastal and ocean acidification on commercially-valuable marine species; (ii) identify the scientific data and knowledge gaps that may hinder the commonwealth's ability to craft policy and other responses to coastal and ocean acidification; and (iii) prioritize the strategies for filling those gaps to provide policies and tools to respond to the adverse effects of coastal and ocean acidification on commercially-important fisheries and the commonwealth's shellfish aquaculture industry.

The commission shall include in its investigation and study, the effect of acidification on great ponds that lie inland of coastal barrier beaches, where such beaches are breached allowing seawater into the pond, or where such beaches are prone to breaching or flooding from storm surge that would allow seawater to enter such ponds; and shall report on the locations of these great ponds and the owners of record of such barrier beaches that separate such great ponds from the ocean.

(b) The commission shall consist of: the house and senate chairs of the joint committee on environment, natural resources and agriculture who shall be co-chairs of the commission; 3 members of the senate, 1 of whom shall be appointed by the minority leader; 3 members of the house of representatives, 1 of whom shall be appointed by the minority leader; the director of marine fisheries or a designee; the commissioner of environmental protection or a designee; the director of coastal zone management or a designee and 8 persons to be appointed by the governor, 2 of whom shall be representatives of an environmental or community group, 3 of whom shall be commercial fishermen, including 1 who shall be a holder of a shellfish aquaculture license, 1 who shall be a holder of a commercial fisherman lobster permit and 1 who shall be a holder of a commercial fisherman shellfish permit and 3 of whom shall be scientists who have studied coastal or ocean acidification.

(c) All appointments shall be made not later than 30 days after the effective date of this section. The co-chairs shall convene the first meeting of the special commission within 45 days after all appointments have been made.

(d) The commission shall meet at least 4 times to review, study and analyze existing scientific literature and data on coastal and ocean acidification and how it has affected or potentially will affect commercially-harvested and grown species along the and shall address: (i) the factors contributing to coastal and ocean acidification; (ii) how to mitigate coastal and ocean acidification; (iii) critical scientific data and knowledge gaps pertaining to coastal and ocean acidification as well as critical scientific data and knowledge gaps pertaining to the effects of coastal and ocean acidification on species

that are commercially harvested and grown along the commonwealth's coast; (iv) steps to strengthen existing scientific monitoring, research and analysis regarding the causes of and trends in coastal and ocean acidification; and (v) steps to take to provide recommendations to the general court and to increase public awareness of coastal and ocean acidification.

(e) The commission shall include in its review of the relevant scientific literature and data the results of studies presented at the conferences or workshops held in New England or the northeast region that relate to coastal and ocean acidification and shall coordinate with the Northeast Coastal Acidification Network and the National Caucus of Environmental Legislators to prevent duplication of effort. The commission shall conduct public hearings to gather information and the joint committee on environment, natural resources and agriculture shall provide staff and other resources as the co-chairs consider appropriate. The commission shall submit a report of its findings and recommendations, together with drafts of legislation necessary to carry out those recommendations, by filing the same with the clerks of the house of representatives and the senate and the joint committee on environment, natural resources and agriculture not later than December 31, 2018.

SECTION 98. The secretary of energy and environmental affairs may, by regulation, modify the loan terms of subsection (d) of section 27 of chapter 21A of the General Laws; provided, however, that no modifications shall be made before January 1, 2022.

SECTION 99. Not later than December 1, 2018, the commissioner of environmental protection shall promulgate rules and regulations for the operation of state, local and demonstration agricultural composting programs pursuant to section 7 of chapter 21H of the General Laws.

SECTION 100. Not later than January 6, 2020, the director of animal health shall file a report with the department of agricultural resources outlining the process, timeline and steps for designing and implementing the database pursuant to section 25 of chapter 129 of the General Laws.

SECTION 101. The first state plan required by section 10 of chapter 21N of the General Laws shall be completed not later than September 16, 2018.

SECTION 102. Any person serving as an inspector of animals on the effective date of this act shall, within 1 year after such effective date, complete all state-funded training that the director of animal health determines is required for newly-appointed inspectors of animals under section 18 of chapter 129 of the General Laws.

SECTION 103. Sections 4, 25 to 43, inclusive, 44 to 47, inclusive, 48 to 65, inclusive, and 66 shall take effect 90 days after the effective date of this act.

Approved, August 9, 2018.