

HOUSE No. 5005

House Bill No. 4990, as changed by the committee on Bills in the Third Reading and as amended and passed to be engrossed by the House. July 23, 2008.

The Commonwealth of Massachusetts

In the Year Two Thousand and Eight.

AN ACT PROVIDING FOR THE PRESERVATION AND IMPROVEMENT OF LAND, PARKS, AND CLEAN ENERGY IN THE COMMONWEALTH.

1 *Whereas*, The deferred operation of this act would tend to
2 defeat its purpose, which is to provide for preservation and
3 improvement of the environmental assets of the commonwealth,
4 therefore it is hereby declared to be an emergency law, necessary
5 for the immediate preservation of the public convenience.

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

1 SECTION 1. To provide for a capital outlay program of
2 improvement and preservation of the environmental and trans-
3 portation assets of the commonwealth, the sums set forth in
4 section 2A and section 2B, for the several purposes and subject to
5 the conditions specified in this act, are hereby made available,
6 subject to the law regulating the disbursement of public funds,
7 which sums are in addition to amounts previously appropriated for
8 such purposes.

1 THERE IS NO SECTION 2.

1 SECTION 2A.

SECRETARY OF THE COMMONWEALTH. *Massachusetts Historical Commission.*

0526-2010 For a grant program to units of municipal government and to private, nonprofit organizations for the preservation of historic properties, landscapes and sites; provided, that such funds shall be awarded in accordance with regula-

tions promulgated by the state secretary, chairman of the Massachusetts Historical Commission; provided, that \$20,000 be expended for the Northampton St. Patrick's Association in coordination with the Halligan-Daley Commemoration Committee for the study, preparation of plans, site maintenance and access improvements at the Halligan-Daley Memorial site located in the city of Northampton 30,000,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Office of the Secretary.

0620-1000 For the water pollution abatement trust established by section 2 of chapter 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund established by 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 50,000,000

0620-2000 For the water pollution abatement trust established by section 2 of chapter 29C of the General Laws for deposit in the Drinking Water Revolving Fund established by section 2QQ of chapter 29 of the General Laws 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..... 25,000,000

0620-2050 For the water pollution abatement trust grandfathered drinking water revolving fund established by Chapter 78 of the Acts of 1998, to fund financial assistance to municipalities and other eligible borrowers to meet debt service obligations incurred by the municipalities and other eligible borrowers after January 1, 1992, to finance the costs, including interest, of water treatment projects or portions thereof which have been approved by the department of environmental protection, or otherwise authorized by law, and which have been completed, as determined by the department, on or before the promulgation date of the department's regulations related to the implementation of the federal Safe Drinking Water Act 42,342,660

1100-2500 For improvements to coastal facilities in designated and non-designated port areas, including those defined under chapter 21F of the General Laws and 301 CMR 25 and section 63 of chapter 91 of the General Laws and 312 CMR 2.00; provided, that improvements may include, but shall not be limited to, construction, reconstruction, rehabilitation, expanding, replacing, and improving public facilities, piers, wharves, boardwalks, berths, bulkheads, and other harbor and waterfront facilities; provided further, that an amount not to exceed \$580,000 shall be expended for repair, paving, and a storm-water filtration

system for the bulkhead located in Wellfleet; provided further, that not less than \$1,000,000 shall be expended for the environmental remediation of the city pier in the city of Fall River; provided further, that not less than \$600,000 shall be expended for the rehabilitation of the Jacobs Meadow outfall channel wall in Cohasset; and provided further, that not less than \$25,000,000 shall be expended on capital improvements to the state pier facility in New Bedford; provided, however, that such improvements shall be made to further economic development within the Port of New Bedford and may include, but shall not be limited to, a multi-use facility for water dependent cargo, commercial fishing improvements, commercial marine transportation improvements, marine educational facilities, a fresh produce and fish market, and capital improvements related to tourism, public recreation and other economic development within the port of New Bedford ; provided further that not less than \$1,400,000 shall be expended to further the economic development of the Port of Newburyport and may include, but shall not be limited to commercial fishing improvements, marine transportation improvements, marine educational facilities, a fresh produce and fish market, and other improvements related to tourism, public recreation and other economic development within Newburyport 87,450,000

*Division of
Capital Asset Management and Maintenance.*

1102-5000 For the modernization of the Senator William X. Wall experimental station in the city of Lawrence including, but not limited to, the repair and rehabilitation of the building and grounds 8,000,000

1102-6000 For the installation of technologies, equipment and materials to reduce energy and water consumption at either existing or new state facilities and to increase the amount of installed renewable energy that result in actual energy and water savings above the minimum standards established by Executive Order No. 484 and the “Massachusetts LEED Plus” standard, described in Administration and Finance Bulletin 12; provided, that the division shall consult with the executive office of energy and environmental affairs and the division of energy resources in developing project priorities; and provided further, that funding may be used to supplement technical and feasibility analyses, fund incremental costs of equipment or materials, and conduct evaluation analyses of projects to determine their effectiveness and replicability at additional facilities 30,000,000

**EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS.**

Office of the Secretary.

2000-7013 For the local acquisition for natural diversity grant program, formerly the self-help program, to provide assistance to

cities and towns in the acquisition of conservation land under section 11 of chapter 132A of the General Laws, Article 97 of the Amendments to the Constitution and any regulations adopted by the secretary of energy and environmental affairs to effect this act or said section 11 of chapter 132A of the General Laws; provided, that notwithstanding any general or special law to the contrary, the title to any land acquired with funds authorized in this item which is no longer used under said section 11 of chapter 132A of the General Laws as open space shall revert to the commonwealth to be managed as open space; provided further, that \$500,000 to be used as a matching grant for the preservation of open space at Crow Hill in the city of Worcester

36,000,000

2000-7014 For the park acquisition and renovation for communities grant program, formerly the urban self-help program, to provide assistance to cities and towns in the acquisition of land, assessment and remediation of brownfield and greyfield sites and demolition on project sites and construction and restoration of parks and recreation areas under Article 97 of the Amendments to the Constitution and any regulations adopted by the secretary of energy and environmental affairs; provided, that notwithstanding any general or special law to the contrary, the title to any land acquired with the funds authorized in this item which is no longer used as open space shall revert to the commonwealth to be managed as open space; provided further, that not less than \$150,000 shall be expended for improvements to the town beach in the town of Millis; provided further, that not less than \$2,000,000 shall be expended for the design and reconstruction of Oxford park in the city of Lawrence; provided further, that not less than \$250,000 shall be expended for improvements to Vietnam Veterans Park in Billerica; provided further, that not less than \$1,000,000 shall be expended for repairs to the footbridge in historic Island Grove park in the town of Abington; provided further, that not less than \$50,000 shall be expended for the repair of the Medina Street boat ramp in the city of Chicopee; provided further, that not less than \$19 1,800 shall be expended for maintenance of and improvements to the Vietnam Veterans Memorial in Green Hill Park in Worcester; provide further, that not less than \$1,500,000 shall be expended for the restoration, remediation, and other necessary environmental improvements at the Project India Site; provided, however, that said expenditure shall be contingent upon the execution of a purchase and sale agreement between WestMass Area Development Corporation and current owner of said site; provided further, that not less than \$100,000 shall be expended for improvements to McEvoy Park in town of North Andover; provided further, that not less than \$500,000 shall be expended for improvements to Mapleway Park in Wakefield; provided further, that not less than \$750,000 shall be expended for expansion and improvements to JJ Lane Park in town of Natick; provided further, that not less than \$1,000,000 shall be expended

for dredging of Forge Pond in the town of East Bridgewater; provided further, that not less than \$125,000 shall be expended for renovations and improvements to the South Lawrence East fields; provided further, that not less than \$275,000 shall be expended for improvement to the Lake Street water resource and recreation area in Shrewsbury; provided further, that not less than \$250,000 shall be expended for improvements to Prospect Park walking trail in Shrewsbury; provided further, that not more than \$10,000,000 shall be expended for a grant to the New England Aquarium for the renovation of the public space on Central Wharf in the city of Boston; provided further, that not less than \$300,000 shall be expended for the rehabilitation, improvement and enhancement of city parks in Methuen; provided further, that not less than \$250,000 shall be expended for improvements to the Murphy Playground in the town of Natick; provided further, that not less than \$50,000 shall be expended for renovations and upgrades to public parks in Lakeville; provided further, that not less than \$954,000 shall be expended for dam repairs at Harding Pond and Hoball Pond in the town of Whitman; provided further, that not less than \$50,000 shall be expended for renovations and upgrades to public parks in Freetown; provided further that not less than \$800,000 shall be expended for a recreation grant in the town of Saugus including Stocker Park and Belmonte Middle School soccer, track, tennis and baseball complex; provided further, that not less than \$150,000 shall be expended for improvements to Farm Pond in the town of Sherbon; provided further, that not less than \$200,000 shall be expended to the Rehoboth Agricultural and Natural Resources Preservation Council for the preservation and protection of critical environmental resources and open space in Rehoboth; provided further, that \$1,200,000 be expended for urban park restoration within the Emerald Necklace portion of the city of Boston; and provided further, that not less than \$217,000 shall be expended for renovation of the public tennis courts in Wakefield; provided further, that no less than \$270,000 shall be expended to permanently close to vehicular traffic a section of River Road in the town of Merrimac and assist in the creation of pedestrian and bicycle trails in said road section; provided further, that \$650,000 shall be expended for the construction of a boardwalk and access improvements to Nashawannuck Pond in Easthampton; provided further that not less than \$40,000 be expended for the construction and maintenance of trails in the Town of Bourne; provided further, that not less than \$85,000 be expended for the installation of an universally accessible Boundless Playground in the city of Beverly; provided further that \$2,500,000 shall be expended for a grant to the Boston Children's Museum for renovation of the public open space and interactive park known as Children's Wharf Landing in the City of Boston; provided further that not less than \$800,000 shall be expended for repairs to the Historic Covered Bridge in the Town of

Hardwick; provided further that not less than \$50,000 shall be expended for renovations and upgrades to public parks in the Town of Spencer; provided further that not less than \$500,000 be expended for maintenance of the Dike System in the city of West Springfield; provided further that not less than \$300,000 be expended for improvements to Mittineague Park in the city of West Springfield; provided further that not less than \$300,000 be expended for improvements to the Bear Hole Watershed in the city of West Springfield; provided further, that not less than \$500,000 shall be expended for improvements to the Winnekenni Castle Park in the city of Haverhill; provided further, that not less than \$5,000,000 shall be expended for the redevelopment, construction and maintenance of the Legion Field in the Town of Weymouth; provided further, that not less than \$100,000 shall be expended for a grant to Springfield for renovations and upgrading to the following parks; Alford Park, Stafford Park, Harriet Tubman Park, Waterfront Part and Johnny Appleseed Park; provided further, that no less than \$250,000 shall be expended to provide a well and irrigation system, as well as improve athletic fields and associated structures at the Bagnall Elementary School in the town of Groveland; provided further, that not less than \$150,000 shall be expended for the engineering and construction of open space on a parcel of land owned by the town of Marshfield located at the intersection of Ocean and Webster streets; provided further, that not less than \$700,000 shall be expended to the town of Bedford for the design and construction of the Vine Brook Culvert Project on Old Burlington Road; provided further that not less than \$500,000 shall be expended for park and trail improvements in the town of Dartmouth; provided further that not less than \$750,000 shall be expended for the dredging of the Fore River in the town of Braintree; provided further that not less than \$150,000 shall be expended for improvements to Smith Beach in the town of Braintree; provided further that not less than \$200,000 shall be expended for the Randolph Salt Shed; provided further, that no less than \$400,000 shall be expended to remove pesticide contamination on town-owned property in the town of Mendon; provided, that \$100,000 be expended for the planning, engineering and permitting for a public boathouse and rowing facility to be constructed on the Connecticut River in the city of Northampton; provided, that \$50,000 be expended for the planning, engineering and construction of public playing fields in the town of Southampton; provided further that \$200,000 shall be expended for the construction of a footbridge adjacent to the Wedgemere Commuter Rail Station in the Town of Winchester; provided further, that not less than \$250,000 shall be expended for the Caryville Mill site along the Charles River Watershed Area for decontamination services; provided further, that \$250,000 shall be expended for the restoration of the Bonin Field in Holyoke

78,000,000

- 2000-7015

For the acquisition, development and construction of parks in urban neighborhoods currently underserved with parks consistent with attainment of environmental equity, including planning related thereto; completion of urban forestry and tree planting projects, assessment and remediation of brownfield and greyfield 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 for the creation of parks under Article 97 of the Amendments to the Constitution; and construction of parks and all related facilities; provided, that the secretary of energy and environmental affairs may issue grants to public and non-public entities to implement these programs; provided that \$100,000 be expended for the acquisition of wooded land to be used for conservation and passive recreation in the North Street neighborhood of the city of Northampton, provided that the abutters of said property provide matching funds for said acquisition; provided further, that no less than \$200,000 for the Quincy Park and Forestry Department to be allocated for the purpose of city tree plantings in the City of Quincy; provided further, that no less than \$10,000 for the Wollaston Garden Club for the purposes of environmental beautification project in the City of Quincy; provided further, that no less than \$10,000 to the Squantum Seaside Gardeners for the purposes of environmental beautification projects in the City of Quincy; provided further, that no less than \$10,000 for the Wollaston Garden Club for the purposes of environmental beautification project in the City of Quincy.....

25,000,000
- 2000-7016

For the conservation partnership grant program to assist not-for-profit corporations in acquiring interests in lands suitable for purposes of conservation or recreation; provided, that the corporation shall be formed for one of the purposes described in section 4 of chapter 180 of the General Laws and the corporation shall be considered an exempt organization within the meaning of section 501(c)(3) of the Internal Revenue Code; provided further, that grant funds shall be expended to reimburse an eligible corporation for money expended by it in establishing a project approved by the secretary of energy and environmental affairs under this program in an amount that the secretary shall determine to be equitable in consideration of anticipated benefits from the project, but in no event shall the amount of the reimbursement exceed 50 per cent of the cost of the project; provided further, that no reimbursement shall be made under this item to a corporation unless a project application is filed by the corporation with the secretary setting forth the plans and information that the secretary may require and approved by the secretary, nor until the corporation shall have certified, in a manner approved by the secretary, its ability to provide an amount equal to the total cost of the project, nor until the project has been completed, to the satisfaction of the secretary, in accordance with the approved plans; provided further, that

all projects shall include the grant by the corporation of an appropriate perpetual conservation restriction, within the meaning of sections 31 and 32 of chapter 184 of the General Laws, to the city or town in which the project is located, to be managed by either its conservation or its recreation commission, or a state agency, or both; provided further, that all projects must provide appropriate public access as determined by the secretary; and provided further, that the secretary may adopt rules and regulations for the implementation and enforcement of this item

7,000,000

2000-7018

For the study, protection, preservation, including cultural resources, public access, development, and enhancement activities for the commonwealth's coastal resources within coastal watersheds and offshore oceans including, but not limited to, implementation, equipment, and projects related to ocean management and planning, seafloor mapping, climate change adaptation and coastal shoreline and floodplain management, coastal and ocean water quality; provided, that a program of wetlands and other aquatic habitat restoration in the Massachusetts coastal zone and watersheds shall be implemented from this item, with functions including, but not limited to, infrastructure repair and replacement to achieve restoration benefits, coordination with public and non-public entities, monitoring, research, planning, federal matching grants, assessment, technical assistance, mapping and implementation of improvements to degraded wetland areas; provided further, that grants may be awarded to public and non-public entities for the purposes of this item; provided further, that a program of coastal pollutant remediation grants may be awarded to cities and towns to construct, reconstruct, and otherwise improve boat pump out facilities and storm water drainage facilities along roads, highways, and bridges within the watersheds of the Massachusetts coastal zone; provided further, that a program of coastal non-point source pollution grants may be awarded to public and non-public entities to identify and implement solutions to control or eliminate non-point source pollution in coastal watersheds; and provided further, that all grants under this item shall be subject to rules and regulations established by the secretary of energy and environmental affairs to govern the application process and disbursement of grant funds under this item; provided further, that not less than \$2,000,000 shall be expended for wastewater improvements near Hyannis Harbor in Barnstable; provided further, that not less than \$2,000,000 shall be expended for Connecticut River combined sewer overflow clean up on Hubbard Street in Ludlow; provided further, that not less than \$350,000 shall be expended for a wastewater management study and environmental impact report in Acushnet; and provided further, that an amount not less than \$75,000 shall be expended by the Provincetown Center for Coastal Studies for the study of the coastal geology and related matters of the barrier beach in Orleans and Chatham known as North Beach;

	provided further, that not less than \$3,000,000 shall be expended to the Town of Barnstable for a matching grant to purchase a parcel of land referred to as Freezer Point in Barnstable Harbor; provided further, that not less than \$500,000 shall be expended on beach nourishment for Chapoquoit Beach and Woodneck Beach, and Menauhant Beach in the Town of Falmouth; provided further, that not less than \$1,500,000 shall be expended for the clean-up of the Mill River in Springfield	30,075,000
2000-7022	For the programs and activities of the office of geographical and environmental information in support of community preservation and other programs; provided, that such funds may be allocated by the secretary of energy and environmental affairs to the department of conservation and recreation, the department of fish and game, the department of agricultural resources, and the department of environmental protection; provided further, that funds may be expended from this item for the costs of services essential to such projects rendered by employees or by consultants; provided further, that the secretary may without limitation provide grants to municipalities, regional planning agencies, and other public and non-public entities to implement said programs; provided further, that funding may be expended for the creation of inventories of species and mapping of areas important for biological conservation and ecosystem protection; provided further, that priority shall be given to the development, from existing source materials where possible, of the following data bases: wetlands, soils, public water supply protection areas, land records, economic growth areas, transportation development, aquifer recharge areas, floodways, vernal pools, endangered and threatened species and species of special concern, public lands, recreation areas, zoning, hazardous and toxic waste sites, and historical and cultural resources; and provided further, that such efforts shall be coordinated to the maximum extent feasible with federal, state, and local go utilities and conservancy efforts; provided further that not less than \$15,000 be expended for a Licensed Site Professional/Risk Assessment Consultant for oversight of the Rockland Industries remediation project in Middleboro; provided further, that not less than \$750,000 shall be expended to provide long term maintenance, preservation, and protection of Whitman's Pond in the Town of Weymouth.....	13,000,000
2000-7023	For improvements and replacements to the infrastructure and holdings of the executive office of energy and environmental affairs; provided, that said improvements or replacements may include, but shall not be not be limited to, buildings, equipment, vehicles and communication and technology equipment; provided, however, that any expenditures for communication and technology equipment under this item shall be subject to the approval of the chief information officer of the commonwealth.....	2,000,000

- 2000-7024

For the restoration of the commonwealth’s natural resources held in trust for the benefit of the public by the secretary of energy and environmental affairs as trustee of the resources that have been lost, destroyed, or injured by the discharge of oil or other releases of hazardous materials and substances; provided, that the definition of natural resources shall include land, fish, wildlife, biota, air, drinking water supplies, wetlands, and other resources generally belonging to, managed by, held in trust by, or otherwise controlled by the trustee; provided further, that the secretary, as trustee of the commonwealth’s natural resources, shall conduct the necessary injury and damage assessment studies to determine the extent of injury to the resources and the required compensation by responsible parties to restore, replace, or acquire the equivalent of these injured resources; provided further that not less than \$1,600,000 shall be expended for wetland restoration and water quality projects in Woburn; provided further, that the secretary may also allocate funds if necessary for the costs of personnel; provided further, that these activities shall be conducted under section 5 of chapter 21E of the General Laws, sections 23 to 27 of chapter 130 of the General Laws, section 42 of chapter 131 of the General Laws, 42 U.S.C. section 9607 (f), 33 U.S.C. section 1321, 33 U.S.C. section 2706 or any other relevant and appropriate authority

3,100,000
- 2000-7025

For integrated energy and environmental projects to provide for appropriate conservation, protection, restoration, management, and best use of air, energy, water and land resources; to provide for the propagation, protection, control and management of fish, other aquatic life, wildlife, and endangered species; to optimize and preserve environmental quality and public health, to encourage environmental equity; to provide for the assessment, prevention and abatement of water, land, air, noise, and other pollution or environmental degradation; to provide for mitigation and adaptation to climate change; to provide geographic information systems and data, including, but not limited to, conservation and development plans, provided through the office of geographic and environmental information under 2 section 4B of chapter 21A of the General Laws; to collect, store and provide geographic, energy, and environmental and other information; to provide environmental, land use, water budgets and other trends and conditions; provided, that the secretary may allocate funds for the purposes of this item; provided further, that not less than \$200,000 shall be expended for the construction of a wind turbine to be located at the McGlynn Elementary and Middle Schools in Medford; provided further, that not less than \$1,000,000 shall be expended on the development of a Buzzards Bay Center in the Whaling National Historical Park; provided further, that, notwithstanding any general or special law, rule, or regulation to the contrary, \$3,000,000 shall be expended for a green school environment grant in the town of Saugus provided that said grant shall only be expended if

the town of Saugus is certified to receive state aid to public libraries by the Massachusetts Board of Library Commissioners; provided further that \$550,000 shall be expended for a clean air aging boiler grant in the town of Saugus; and provided further, that grants may be awarded to public or non-public entities to carry out this item; provided further that not less than \$600,000 be expended for the Town of Falmouth to meet the cost of the contract and construction services for the 1.5 megawatt wind turbine at their wastewater treatment facility; provided further that not less than 800,000 shall be expended for the construction of a Water Tower to be located at the Templeton Developmental Center; provided further, that the amount of not less than \$250,000 be allocated for the continued development of the Jones River Landing Environmental Heritage Center in Kingston to promote ecosystem restoration and green energy solutions in the community; provided further, that not less than \$1,000,000 shall be expended for a feasibility study and the construction of a wind turbine to be located in the Town of Weymouth; provided further, that not less than \$1,000,000 shall be expended for the costs associated with the construction, renovation and maintenance of a Water Treatment Plant in the Town of Weymouth; provided further that \$250,000 shall be expended for the creation of park space bordering Clipper Ship Drive and the Mystic River in the city of Medford; provided further that \$1.5 million shall be expended for the construction of a wind turbine in the town of Braintree for the purpose of providing power to a new tri-town water treatment plant under the care, custody and control of the Tri-Town Board of Water Commissioners of Braintree, Holbrook and Randolph; provided further that \$100,000 shall be expended for the construction of a wind turbine at Winchester High School in the Town of Winchester.....

29,150,000

Department of Environmental Protection.

2200-7011 For the purposes of water quality monitoring, assessment and protection as required to meet the 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; provided, that this funding, may include, but not be limited to, studies of water quality, the development of wetlands conservancy and tidelands Geographic Information System maps, the implementation of water quality monitoring devices, the collection and analysis of water quality samples, the development of water quality analyses known as Total Maximum Daily Loads, and projects related to non-point and point sources of water pollution, and the wetlands circuit rider program; and provided further, that not less than \$200,000 shall be expended for the identification and remediation of pollu-

	tion sources for the Cole and Lees Rivers; provided further that not less than \$500,000 shall be expended for each of the next three years for the operation of an alternative sewage treatment demonstration project, to be managed by the Department of Environmental Protection in consultation with the Barnstable County Health Department, evaluating the potential for the use of urine diverting toilets and composting toilets as a means of cost effectively reducing nitrogen loading; provided further that not less than \$1,000,000 shall be expended for sewer extensions in the Spencer/Tuttle/Flint area of the Town of Acton, otherwise referred to as Area 10 in the town’s CWRMP; provided further, that not less than 150,000 shall be expended for identification and remediation of pollution sources for the Unquity Brook in the town of Milton	15,200,000
2200-7012	For operation and maintenance of the department of environmental protection’s statewide air monitoring network including, but not limited to, photochemical assessment monitoring stations, small particulate monitoring and air toxins monitoring; and for the upgrade of equipment to comply with federal requirements; provided further that \$350,000 shall be expended for air quality monitoring, odor mitigation, and the establishment of an airborne odor and toxics mitigation strategy in the city of Northampton and town of Easthampton in neighborhoods impacted by the regional solid waste landfill, located in the city of Northampton; provided further that not less than \$1,000,000 shall be expended for air quality monitoring and odor mitigation of the Crow Lane Landfill in the City of Newburyport	4,850,000
2200-7013	For the purposes of discovery, assessment, containment, clean-up, 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; provided, however, that funds authorized in this section shall be used for the purposes of maintaining a composting and recycling program consistent with the statewide Solid Waste Master Plan authorized by section 21 of chapter 16 of the General Laws; provided, that \$2,000,000 shall be expended for the monitoring, mitigation, inspection and investigation of the impacts of the regional solid waste landfill in the city of Northampton on groundwater, public and private water supply wells and the Barnes Sole Source Aquifer; provided that \$250,000 shall be expended for improvements to the Transfer Station in the Town of Winchester	13,000,000
2200-7014	For information systems development and information technology equipment at the department of environmental protection to upgrade the first-generation “eDEP” on-line permitting/compliance reporting system to meet current business standards and the best competitive practices for states, to develop and implement on-line file reviews and permit guides, expand internet publishing of environmental reports and information, and improve system availability and response times for the regulated community	

	and the public; provided, however, that any expenditures under this item shall be subject to the approval of the chief information officer of the commonwealth	20,000,000
2200-7015	For the assessment, containment, cleanup, control removal of or response actions concerning oil or hazardous materials or for any other actions necessary to implement Chapter 21E of the General Laws, or the regulations promulgated, thereunder, the Massachusetts Contingency Plan; provided, that not less than \$12,000,000 shall be expended for the remediation of soil contamination on residential properties located on streets adjacent to or in proximity to the former landfill site in Brookline; provided further, that 1,000,000 shall be expended to cleanup and renovate the Old Mason Square Fire House in Springfield in order for public use	44,000,000
2200-7016	For a grant to the University of Massachusetts Amherst Landscape Ecology Program to utilize the Conservation Assessment and Prioritization System to establish a statewide, comprehensive wetlands monitoring and assessment program for Massachusetts, to identify relationships between landscape-based stressors and the physical and biotic condition of ecosystems, and to complete a statewide landscape connectivity study	500,000
2200-7017	For grants to cities, towns and districts for the acquisition of lands and waters and easements by those cities, towns and districts to protect and conserve groundwater aquifers and recharge areas, surface water supplies and watershed areas, and surface or underground lands adjacent to those resources, for the protection of water that is determined by the department of environmental protection to be of potential use for water supply purposes; provided, that any grants approved by the department and provided to cities, towns and districts from this item shall not exceed 60 per cent of the eligible costs of the projects	22,500,000
	<i>Department of Fish and Game.</i>	
2300-7010	For the acquisition of land and interests in land by the department of fish and game and for associated costs, including planning, study, due diligence, title and appraisal services, site restoration and stewardship for the purpose of protecting the native flora and fauna communities of the commonwealth, and for associated costs; provided, that the commissioner of the department of fish and game may develop and utilize scientifically-based evaluation criteria to identify and select the most biologically significant areas throughout the commonwealth including, but not limited to, specific parcels, and that these lands may be purchased after being selected by this process and approved by the commissioner of the department and the fisheries and wildlife board; 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 fee simple or through conservation easement including, but not limited to, resource and land use moni-	

	toring, baseline documentation report creation, signage, boundary marking and monitoring, stewardship planning, stewardship personnel, stewardship database development, ecological monitoring, and enforcement of conservation restrictions or detection and resolution of encroachments on land owned in fee simple, and repair of damage related to illegal off-road vehicle trespass; provided further, that funds may be used for inventory, restoration and reclamation of recently acquired land, including demolition of structures, removal of debris, eradication of non-native species, and other services essential to these reclamation efforts.....	73,000,000
2300-7011	For enhancements, improvements, removal and replacements to the infrastructure and holdings of the department of fish and game and its divisions; and for the costs of studies, plans, engineering and other services essential to this activity; and for the planning, design, construction, and repair of existing and new facilities under the care and control of the department of fish and game and its divisions including, but not limited to, education centers, district headquarters, hatcheries, office buildings, storage buildings, shooting ranges, and laboratories; provided, that these enhancements, improvements and replacements may include, but shall not be limited to, buildings and other structures, equipment, vehicles, vessels, information systems, and site clearance, including the demolition of structures, and other holdings including remediation of environmental compliance matters throughout the commonwealth; provided, that \$50,000 be expended for the oversight and the enhancement of public safety and law enforcement on property owned by the city of Westfield located in the town of Montgomery.....	13,000,000
2300-7013	For the purposes of conserving and recovering rare and endangered plant and animal species listed under the Massachusetts Endangered Species Act and protecting other elements of the state's threatened natural heritage, through conservation, preparation of endangered species recovery plans, implementation of recovery projects, and the execution of habitat and ecological restoration and management, as identified by the division of fisheries and wildlife's natural heritage and endangered species program and approved by the director of the division and the commissioner of the department; provided, that the associated costs may include, but shall not be limited to, species recovery, habitat restoration and management, monitoring services and equipment purchases; and provided further, that this work may be carried out in cooperation with local municipalities, private conservation organizations, private landowners, universities or governmental agencies; provided further that not less than \$20,000 be allocated for phosphorus management and algae reduction in West Monponsett Pond in Halifax; provided, that \$250,000 be expended for the protection and conservation of northern right whales and sea turtles in Massachusetts waters	10,000,000

- 2300-7014

For a program of upland habitat management of forestlands, shrub lands, and grasslands, to provide habitat for native wildlife species experiencing long-term population declines, to control invasive, exotic species that degrade natural habitats, and to maintain independent, third party certification of sustainable resource management on state wildlife lands through the forest stewardship council; provided, that activities shall include, but shall not be limited to, implementation of habitat management plans as established by the division of fisheries and wildlife and approved by the director of the division and the commissioner of the department; and to establish and support an integrated, early detection and rapid response system for invasive species and to complete a strategic management plan for invasive species to prevent, control, eradicate and restore natural management areas; provided that the commissioner shall identify at all scales the natural and cultural resources at risk from invasive species and conduct baseline assessments of invasive species at those sites and to educate the public to help prevent and control invasive species; provided that, not less than \$1,200,000 shall be expended for invasive species control in the city of Peabody and for a Landowner Incentive Grant Program to restore declining species and their habitats identified in the Comprehensive Wildlife Conservation Strategy on private lands that may include, but not be limited to technical and financial assistance, implementation and monitoring as established by the division of fisheries and wildlife and approved by the director of the division and the commissioner of the department, and for associated costs; provided, that the associated costs may include, but shall not be limited to, restoration, management, monitoring services, and equipment purchases; provided further, that the projects may be carried out in cooperation with cities, towns, not-for-profit organizations, private landowners, conservation organizations, sportsman’s clubs or governmental agencies; and provided further, that grants may be awarded to public and non-public entities to carry out the purposes of this item

9,200,000
- 2300-7015

For the river restoration programs in the division of riverways within the department of fish and game; provided, that funds authorized in this item may be utilized for river and river corridor revitalization, restoration and protection of river ecosystems and functions statewide, including dam and barrier removal, instream improvements, flow, water quality, riverine habitat, for protection of high quality riparian habitat to mitigate threats from climate change, and recreational opportunities; provided further, that these costs may include, hut shall not be limited to, equipment to implement these programs; and provided further, that the commissioner, or his designee, may enter into cooperative agreements with state and federal government agencies and municipalities, contract for services including, but not limited to, engineering, and award grants to public and non-public entities to foster and carry out the purposes of this item; provided further that not less than

\$75,000 be allocated for a feasibility study at Forge Pond Dam in Kingston; provided further, that not less than \$100,000 shall be expended for the Town of Ashland for Sudbury River clean-up.....

10,000,000

2300-7016 For the planning, engineering, design, construction inspection, acquisition, development, and reconstruction of existing and new coastal and inland access sites including, but not limited to, boat launching facilities, fisherman boat access facilities, car-top boat launching facilities, canoe access facilities, sport fishing piers and shore fishing areas including, but not limited to, ramps, docks, floats and appurtenant facilities throughout the commonwealth; provided further, that not less than \$75,000 shall be expended for a canoe/kayak launch on the Merrimack River at the Harbormaster’s Station next the Railroad Bridge in the town of Salisbury; provided further, that not less than \$190,000 shall be expended for the design and development of a riverfront park and boat ramp along the Merrimack River on Riverview Street in the town of North Andover; provided further, that not less than \$500,000 shall be expended for the construction of a stand-alone public fishing pier in Oak Bluffs; provided further, that not less than \$250,000 shall be expended for the Lower Millyard small boat launch on the Powwow and Back Rivers in the town of Amesbury; provided further, that not less than \$300,000 shall be expended for the purchase of rail corridor east of the Basiliere Bridge and the redevelopment of a boat park on the Merrimack River by the public boat ramps in the town of Haverhill; provided further, that not less than \$650,000 shall be expended for the repair and enhancements of the public access boat ramp on Laurel Lake in the town of Lee; provided further, that not less than \$250,000 shall be expended for the renovation of the Bashara Boathouse in Lawrence Riverfront State Park; provided further, that not less than \$25,000 shall be expended for the pond restoration and pollution abatement study for Rawson Hill Brook and Pond in the town of Shrewsbury; provided further, that not less than \$300,000 shall be expended for the reconstruction of the boating and fishing access ramp at Cooks Pond in Fall River; provided further, that not less than \$150,000 shall be expended for the enhancement and rebuilding of the Cashman Park Boat Launch in the city of Newburyport; and provided further, that not less than \$75,000 shall be expended for design and engineering costs for a boat ramp at Squantum Point Park in the city of Quincy; provided further, that not less than \$500,000 shall be expended for the planning, design, construction permitting, and oversight of a boat ramp and associated parking and access road ways on the Concord River in Billerica; and provided further, that not less than \$750,000 shall be expended on the design and construction of boat ramps, slips, moorings, and associated upland facilities at the Scituate marine park in the town of Scituate; provided further, that not less than \$40,000 shall be expended for the rebuilding of the Joppa Flats Boat Launch in the city of Newbury-

port; provided further, that not less than \$400,000 shall be expended for a sport fishing pier and share fish area at Deer Island park in the town of Amesbury; provided further that not less than \$1,000,000 shall be expended for renovating the existing state boat ramp and parking lot at Lake Mascuppic in the Town of Dracut; provided further that not less than \$75,000 be expended for the repair and reconstruction of an access ramp and dock at the Jones River Landing Environmental Heritage Center in Kingston; provided, that \$75,000 be expended for the planning and engineering of an outdoor sorts visitors center on the Oxbow section of the Connecticut River in the city of Northampton to enhance recreational opportunities; provided further, that no less than \$800,000 for the dredging of Squantum and Wollaston Yacht Club emergency boat access in Wollaston Beach, Quincy; provided further, that not less than \$30,000 shall be expended on Turner’s Pond in Milton to prevent run off at Central Ave.; provided further, that \$2,000,000 shall be expended for sediment control in Lake Webster

7,375,000

2300-7017 For the implementation of the Comprehensive Wildlife Conservation Strategy and investigating the impacts of climate change on the biodiversity of Massachusetts including, but not limited to, habitat protection and restoration, implementation, and equipment purchases; provided, that implementation may also include, but shall not be limited to, a Coastal Waterbird Conservation Program to restore globally and regionally significant populations of declining and at-risk species of coastal water birds and their habitats, as tracked by the natural heritage and endangered species program and identified in the Comprehensive Wildlife Conservation Strategy, including habitat protection and restoration, bird population protection, restoration, and technical assistance to landowners and other cooperators, and planning, engineering, design, construction, and reconstruction of structures to stabilize critical coastal nesting islands, and for associated costs which may include, but shall not be limited to, equipment purchases; provided further, that this work may be carried out in cooperation with local municipalities, private conservation organizations, private landowners, universities, or governmental agencies; provided further, that implementation may also include, but shall not be limited to, non-marine aquatic habitat protection and restoration, establishing benchmarks for fish community restoration and establishing protection goals for high quality fish communities, the preparation of restoration and habitat protection plans, and the execution of fisheries habitat restoration projects on natural fish communities and for associated costs including, but not limited to, research, restoration, management, monitoring, and equipment; provided further, that funds may be expended from this item for the further development of map products by this program to identify and target for protection, restoration and management of natural fisheries communities including but not limited to research, data collection, map produc-

tion and equipment and management studies; and provided further, that grants may be awarded to public and non-public entities to carry out the purposes of this item ..

10,450,000

2300-7018

For the purposes of marine fisheries resource habitat identification, classification, protection and restoration, the preparation of technical guidance and fisheries management plans, as approved by the director of the division of marine fisheries and the commissioner of the department, and for associated costs, provided, that said costs may include, but shall not be limited to, research, restoration, management, monitoring and equipment; provided further, that these projects may be carried out in cooperation with not-for-profit organizations or other management agencies; provided further, that funds may be expended for the further development of map products and technical guidance by this program to identify and target for protection, restoration and management of marine fisheries resources including, but not limited to, research, data collection, equipment, map production, management studies; provided further, that not less than \$2,000,000 shall be expended for the study of commercial and recreational fishing stocks, and creating a data collection and fisheries management system to be administered by the Massachusetts Marine Fisheries Institute in conjunction with the School of Marine Science and Technology at the University of Massachusetts Dartmouth; provided further that not less than \$2,000,000 shall be expended on a research vessel to conduct ocean management and sustainable fisheries research; provided, however, that this vessel shall be operated by the School of Marine Science and Technology at the University of Massachusetts Dartmouth and be primarily berthed in the port of New Bedford; provided further, that not less than \$750,000 shall be expended for the purchase of scales and the establishment of a shore-based monitoring program for all federally-managed fisheries for herring and mackerel, which expenditures shall be made, and the program conducted, in accordance with the requirements of section 14 of this act and under the supervision of the oversight committee established under said section 14; and provided further, that not more than \$225,000 shall be expended by the department for the study of the horseshoe crab population in Wellfleet Harbor, Pleasant Bay, and Barnstable Harbor; provided, however, that the department may contract with an environmental non-profit in order to conduct said horseshoe crab study

7,475,000

Department of Agricultural Resources.

2500-7012

For a program to acquire agricultural preservation restrictions under sections 23 to 26, of chapter 20 of the General Laws; provided, that any person or entity receiving funds from this item shall be encouraged to participate in any programs of the department of agricultural resources that may be suggested by the commissioner of the department; provided further, that funds may be used for implementation of a stewardship program on APR 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 APR properties; as well as the creation of new opportunities that seek to enhance the sustainability and viability of APR properties.....

67,750,000

2500-7013

For the purpose of developing and implementing programs designed to address agricultural economic and environmental sustainability, research, industry promotion, technology transfer, education and to facilitate improvements to agricultural infrastructure, energy conservation and efficiency, as well as renewable energy projects, including the development and implementation of farm viability plans and other technical and engineering assistance to enhance the economic and environmental viability of farms, to provide for shorter term land covenants, and for undertaking of markets for agricultural products to assist in agricultural business enhancement and transition, the creation of a program including grants to public and non-public entities for the development and implementation of new procedures for energy conservation and efficiency, renewable and alternative energy sources to assist the commonwealth's agricultural community to grow and develop; provided, that no funds shall be expended for the Northeastern Massachusetts aquaculture center by Salem State College, Southeastern Massachusetts aquaculture center by Barnstable County, the Southcoast aquaculture center by the University of Massachusetts School for Marine Science and Technology in consultation and cooperation with the department's aquaculture division at a location within the port of New Bedford and the Western Massachusetts center for sustainable aquaculture by the University of Massachusetts at Amherst; provided further, that not less than \$10,000,000 shall be expended to establish a program to facilitate the creation of a general public market in Boston to provide local agricultural, seafood and aquaculture, dairy and specialty foods produced in the commonwealth of Massachusetts; provided further, that the Massachusetts aquaculture centers work in cooperation and in collaboration with the department of agricultural resources toward the provision of grant funding and services to the Massachusetts aquaculture industry; and provided further, that there be established a program to assist in the preservation and rehabilitation of facilities and land resources of agricultural fairs in the commonwealth through short-term preservation covenants, grants, demonstration projects and other means, under section 38C of chapter 128 of the General Laws; provided further, that funds authorized in this item may be allocated by the commissioner, through competitive grants; and provided further, that the commissioner may adopt regulations relative to these grants; provided further not less than \$100,000 shall be expended for the continued operation of the shellfish propagation program in Westport

30,000,000

2500-7014	For the agricultural environmental enhancement program on the abatement of all forms of pollution generated from agricultural activities originally funded under section 8 of chapter 258 of the acts of 1996; provided, that funds may be allocated by the commissioner through competitive grants awarded to public and non-public entities to carry out the purposes of this item	3,000,000
	<i>Department of Conservation and Recreation.</i>	
2800-7011	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, stewardship, and costs associated with the defense of eminent domain takings for the purpose of protecting significant natural and cultural resources of the commonwealth and enhancing the department's system of forests, parks and reservations; provided, that funds may be used for development and implementation of a stewardship program on lands under the care and control of the department of conservation and recreation 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 in fee simple, and repair of damage to property related to illegal uses such as off-road vehicle trespass; provided further, that funds may be used for inventory, restoration and reclamation of recently 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 not less than \$500,000 shall be expended for the repair of Eddy Pond Dam in the town of Auburn; provided further, that not less than \$1,500,000 shall be expended for design and permitting of Phase II of the Urban Neponset Reservation; provided further, that not less than \$1,125,000 shall be expended for a watershed baseline study and feasibility study of the Miles River watershed protection project in the towns of Beverly, Wenham, Hamilton, and Ipswich; provided further, that not less than \$75,000 shall be expended for oil spill clean-up at the Asa Waters Mansion in the town of Millbury; provided further, that not less than \$3,000,000 shall be expended within the Saugus River watershed; provided further, that not less than \$12,000,000 shall be expended for the the restoration, remediation, and other necessary environmental improvements to the Lower Neponset River Watershed including, but not limited to, associated costs of engineering, design, permitting as well as costs relating to public outreach; provided, however, that said project shall be carried out in cooperation with other state, federal, and municipal agencies; provided further, that not more than \$6,000,000 shall be expended for the acquisition of the Silver Maple Forest in the town of Belmont and the city of Cambridge, for conservation purposes; pro-	

vided further, that not less than \$200,000 shall be expended for the acquisition and restoration of a parcel on the Concord River in the Town of Billerica; provided further that not less than \$5,000,000 be expended for land appropriation in the Waquoit Bay recharge area by the Department of Conservation and Recreation; provided further that \$3,000,000 shall be expended for the design and construction of DCR park land in the Port Norfolk section of Dorchester in the City of Boston; provided further that not less than \$500,000 be expended for repair of the dam at Flint Pond in the Town of Tyngsborough; provided further, that not less than \$2,500,000 shall be expended for the Town of Framingham to purchase the development rites for land on the Nobscot Scout Reservation for historic preservation and environmental protection; provided further that \$400,000 shall be expended for the acquisition and clean up of 58 Beech Street for the purpose of constructing a community park in the area of West Roxbury in the city of Boston; provided further that \$670,000 shall be expended for the DCR to purchase property on the VFW Parkway, at the corner of Gardner St. for the purpose of constructing a parking lot for the Jim Roche Memorial Ice Rink and Havey Beach; provided further that \$1,500,000 shall be expended for the rehabilitation of Harvey Beach in the area of West Roxbury in the city of Boston; provided further that 5 million shall be expended for the DCR to purchase Kesseler Woods in the City of Newton; provided further, that not less than \$100,000 shall be expended to the Udor Tower Conservation Project in the town of Millville; provided further that not less than \$2,000,000 shall be expended for the repair and upgrading of dams in the city of Springfield

78,000,000

2800-7012 For natural resource restoration and protection and to ensure compliance with storm water management and the federal Clean Water Act, including enhanced environmental compliance with laws and regulations, and improvements, and costs associated with site assessment, containment, clean-up, control, removal of, or response actions concerning hazardous materials or substances at forests, parks, reservations and other properties of the department of conservation and recreation

30,000,000

2800-7013 For forest management and conservation purposes on state forests and parks of the department, including, but not limited to, a program of habitat improvements, bio-diverse forestry, and wildlife enhancement to forest and parks, boundary and forest road and trail maintenance and restoration for forest management, recreation and fire fighting purposes, forest health projects and inventories, forest green certification, coordination with the department of fish and game, compliance projects, for the department's program to market and promote ecologically sustainable utilization of the commonwealth's biomass supplies for renewable energy projects, for the state match for the cooperative federal-state Urban & Community Forestry Program, and for fire suppression activities, fuels

	management, including prescribed fire to protect biodiversity and rare and endangered species habitat, eradicate invasive species and forests pests and pathogens, and including necessary vehicles and equipment, and other forest management and conservation activities	10,000,000
2300-7015	For the protection, preservation and restoration of the commonwealth's significant natural and historic landscapes, and to provide assistance to cities and towns to further these purposes, including protection and stewardship of long distance trails and greenway corridors; provided, that program activities shall include, but shall not be limited to, technical assistance, preservation, acquisition of interests in land, construction, rehabilitation, public training, preservation maintenance and associated costs; provided further, that there shall be a program to support the department's mission of natural and cultural resource protection; provided further, that program activities shall include, but shall not be limited to, scientific analysis, design, construction, rehabilitation, historic structure stabilization, landscape preservation, and archive management; provided further that no more than \$2,000,000 may be annually expended for a program to support comprehensive methods of controlling harmful invasive aquatic species; provided further, that not less than \$5,000,000 shall be expended for a program of grants to cities and towns for projects to control or eradicate harmful invasive aquatic species; provided further that not less than \$250,000 shall be expended for the control or eradication of invasive aquatic species at Lake Cochituate State Park; provided further, that not less than \$50,000 shall be expended for control of invasive aquatic species at Noyes Pond in the town of Tolland; provided further, that the department shall conduct a study of invasive aquatic species infestation in the Charles River; and provided further, that the department may award grants to public and non-public entities to carry out the purposes of this item; provided further, that not less than \$300,000 be expended for access improvements and sediment control activities at White Brook and Broad Brook in Easthampton; provided further that not less than \$250,000 be expended on the Eel Pond restoration project in the town of Mattapoisett; provided further, that no less than \$5,000,000 shall be expended for the creation and maintenance of a linked trail system for local and state parks along the Back River in the towns of Weymouth and Hingham; provided further, that no less than \$200,000 for the City of Quincy restoration projects for the Wolaston Sailors Pond and the Montclair Bog; provided further, that not less than \$100,000 shall be expended for invasive weed control on the Charles river in Waltham.....	20,250,000
2800-7016	For the design, construction, reconstruction, rehabilitation or removal of department-owned dams and, subject to rules and regulations of the department, municipal-owned dams, other publicly-owned dams, and other dams for which emergency action is required and related facilities	

and equipment; provided, that the department of conservation and recreation shall give priority to dams and flood control projects which pose the greatest risk to public health, safety or the environment, subject to rules and regulations of the department; and for a program or planning, permitting and construction of fish ways and other aquatic habitat improvements including the removal or breaching of selected dams and impoundments on land under the care, custody and control of the department; provided further, that not less than \$100,000 shall be expended for drainage for a culvert on Old Ferry Road to mitigate years of flooding on Frye road in town of Methuen; provided further, that not less than \$350,000 be expended for Town Creek Marsh Restoration and Flood Control in the vicinity of MBTA railroad line and Route 1 in the town of Salisbury; provided further, that not less than \$250,000 shall be expended for the design and construction of recreational fields in the town of Auburn; provided further, that not less than \$100,000 shall be provided to the town of Lynnfield for the purpose of conducting an environmental impact study on flooding and drainage issues at Reedy Meadow that also impact the communities of Wakefield, Saugus and Lynn; provided further, that not less than \$50,000 shall be expended for repair and reconstruction of Lawrence's Network of Community Gardens in the city of Lawrence; provided further, that not more than \$1,500,000 be expended for the repair and removal of Whitney Pond Dam; provided further, that not less than \$180,000 be expended for a biofilter system for the Woodland Street Pump Station in the town of West Boylston; provided further, that not less than \$1,500,000 shall be expended for the construction of a dam at Van Horn Park in Springfield; provided further, that not less than \$2,000,000 shall be expended for repair and improvements to the Saxton J. Foss Park in the city of Somerville; provided further, that not less than \$250,000 shall be expended for repairs to Eagle Dam in the town of Wrentham; provided further, that not less than \$250,000 shall be expended for the design and repair of Newton Pond Dam in the town of Shrewsbury; provided further, that not less than \$3,000,000 shall be expended for the repair and replacement the Stoney Beach Sea Wall in the town of Hull; provided further, that not less than \$40,000 shall be expended for the purpose of providing matching funds for ADA compliant renovations to the Kid Spot Playground on Chestnut Street in the town of North Reading; provided further, that not less than \$1,300,000 shall be expended for repairs to the Sheppard Pond Dam in Canton; provided further, that not less than \$48,000 shall be expended for repair of the dam at Johnson's Pond in Raynham; provided further, that not less than \$350,000 shall be expended for the repair and reconstruction of the East Rodney French Boulevard Boat Ramp located in the city of New Bedford; provided further, that not less than \$1,900,000 shall be expended for the reconstruction of the Rexhame drainage system in Marshfield; provided further,

that not less than \$2,500,00 shall be expended for repairs and renovations to the East Windsor Dam in the town of Dalton; provided further, that not less than \$2,000,000 shall be expended for reconstruction of the Granville Reservoir Dam; provided further, that not less than \$1,500,000 shall be expended for dredge work in Plymouth Harbor; provided further, that not less than \$300,000 shall be expended for the repair and reconstruction of the West Rodney French Boulevard Boat Ramp located in the city of New Bedford; provided further, that not less than \$670,000 shall be expended for equipment purchases to provide emergency safety services and fire-fighting capability in Myles Standish state forest in the town of Plymouth; provided further, that not less than \$4,000,000 shall be expended for the repair and maintenance of the Godfrey Brook in the town of Milford; provided further, that not less than \$50,000 shall be expended for improvements and repairs to Unity Park in the town of Sutton; provided further, that not less than \$1,250,000 shall be expended for creating a neighborhood network of gardens and trails in the city of Lawrence; provided further, that not less than \$100,000 shall be expended for an asbestos sewer line clean-up in the town of Sutton; provided further, that not less than \$125,000 shall be expended for the implementation of a downtown sewer study in the town of Georgetown; provided further, that not less than \$250,000 shall be expended for design, permits and inspections of Lake Wyola Dam in Shutesbury; provided further, that not less than \$100,000 shall be expended for repairs, maintenance, and operation of Lake Maspenock Dam in the town of Hopkinton; provided further, that not less than \$400,000 shall be expended for a infiltration elimination program in Methuen; provided further, that not less than \$900,000 shall be expended for the restoration of the Bicentennial Trail at Wachusett Mountain State Park; provided further, that not less than \$150,000 shall be expended for Developing the Spicket River Greenway in the city of Lawrence; provided further, that not less than \$2,700,000 shall be expended for environmental restoration of Milford Pond in the town of Milford; and provided further, that \$800,000 shall be expended for design, repair and safety stabilization of the Connecticut river dike in the town of Hadley; provided further that not less than 50,000 shall be expended for developing the Quaboag River Trail; provided further that not less than \$150,000 shall be expended to the town of Shutesbury for repairs to the dam at Lake Wyola; provided further, that not less than \$500,000 shall be expended for repairs to the Manns Pond Dam in the Town of Sharon; provided that \$2,500,000 shall be expended to examine and implement proposed flood mitigation projects along the Aberjona River and Mystic Lakes in the Town of Winchester; provided further, that not less than \$100,000 shall be expended for engineering and repairs to municipally-owned dams in the town of Ashburnham; provided further, that not less than \$250,000 shall be

	expended for repairs to the Wayside Pond Dam in the city of Gardner; provided further, that not less than \$1,000,000 shall be expended for repairs to the Whitney Pond Dam in Winchendon; provided further, that \$500,000 shall be expended for drainage improvements on Frye Road in the City of Methuen; provided further, that \$9,000 shall be expended for the installation of drainage on the pathway leading from the Franklin School to the Berkeley Road neighborhood in the Town of North Andover; provided further, that not less than \$250,000 shall be expended for the repair of canal wall of the John Whitin Pond sluiceway on Crown and Eagle Way	56,500,000
2800-7017	For the support of the protection and rehabilitation of the lakes and ponds and associated watersheds of the commonwealth including, but not limited to, assistance and grant programs under sections 37A through 37D, inclusive, of chapter 21 of the General Laws; provided, that program activities include, but shall not be limited to, technical assistance, studies, preservation, environmental improvements and associated costs; and for a program to provide for the registration of persons engaged in the business of drilling or digging wells and assuring adherence to professional standards in well construction in order to protect the ground water resources of the commonwealth and the consumers, including the provision of technical assistance to boards of health and the regulated community, provision of ongoing education to well drillers and others, coordination with the office of the state geologist, and including associated costs; provided, that not less than \$100,000 shall be expended for the Town of Ashland for preservation, maintenance, and environmental protection of Lake Waushakum	5,000,000
2800-7018	To provide state coordination with a cooperative federal-state program with the United States Geological Survey, Department of Interior, for continuous data collection and analysis including the operation of the statewide stream flow and ground water level monitoring networks standards and web sites, and to fund studies of current water resources research on stream flow and groundwater resource management, watershed studies, stream gauges, basin studies and topical studies and other related hydrologic studies and activities	25,000,000
2800-7019	For the development of long-range capital improvement plans, designs, and related engineering specifications to improve and rehabilitate department properties and facilities including, but not limited to, the resource management planning process under section 2F of chapter 21 of the General Laws; provided further, that not less than \$300,000 shall be expended for the Mystic River Master Plan	5,000,000
2800-7022	For the purpose of protecting and conserving the ecological and economic integrity of the commonwealth's privately held forestlands including, but not limited to, acquisition of interests in land including easements, agreements,	

rights of first refusal and covenants; for a forestry conservation restriction program to acquire conservation restrictions under section 31 of chapter 184 for private working forests actively devoted to sustainable forestry, and classified as forest land under section 2 of chapter 61 of the General Laws, in order to encourage sustainable forestry, protect prime forest land, and help the viability and affordability of sustainable forestry; provided, that working forest conservation restrictions shall be held by the department of agriculture or the department of conservation and recreation or the municipality in which the land is located; provided further, that projects shall be rated based on the suitability of land to grow forest products, the fair market value of the land as determined by independent appraisers, proximity to other protected working forests, management history of the project to serve as a model of sustainable forestry and the degree to which the conservation restriction would serve to preserve and make affordable the practice of sustainable forestry in the commonwealth; and for grants to public and non-public organizations and private landowners for education, technical assistance, forest stewardship practices, enhancement of ecosystem services and carbon sequestration, estate planning, interests in land or associated land acquisition costs, grants to private forest landowners, forest businesses and non-profits for the forest viability program for enhancing sustainable economic benefits of forests, including business plans and implementation grants and no-development covenants to be held by the department of agriculture or the department of conservation and recreation including, but not limited to, forest management plans for private landowners; provided, that projects and funding shall be approved by the secretary of energy and environmental affairs; and provided further, that projects may be carried out in cooperation with other governmental agencies, private landowners, and conservation organizations according to management agreements approved by the secretary

4,000,000

2800-7097 For the design, construction, reconstruction, improvement or rehabilitation of department or navigable coastal and inland waterways projects including, but not limited to, coastal protection, structures, dredging, rivers and stream cleaning, coastal structure maintenance, piers, dune stabilization, culvert repair, re-nourishment, erosion control and waterfront access and transportation improvements and related facilities and equipment; provided further, that not less than \$6,000,000 shall be expended for repair and restoration of the Point Allerton seawall in the town of Hull; provided further, that not less than \$600,000 shall be expended for the dredging of Moses Pond and related items in the town of Wellesley; provided further, that not less than \$2,250,000 shall be expended for dredging of Hingham Harbor; provided further, that not less than \$1,500,000 shall be expended for the repair or replacement of the Seaview Avenue seawalls in the town of Oak Bluffs or the installation of a coastal dune system in lieu

	thereof; provided further, that the sum of \$100,000 be made available to the town of Newbury for either the direct acquisition, or to facilitate the intragovernmental transfer of, a Lighter, Amphibious, Resupply, Cargo (LARC LX) used to transport personnel, equipment, and materials in the beachfront area of Plum Island; provided further that not less than \$1,000,000 shall be expended for jetty repairs, dredging work and associated improvements to the Merrimack River; provided further, that not less than \$1.5 million shall be expended for the rehabilitation, and cleanup of Lake Massasoit in Springfield; provided further that not less than \$600,000 shall be expended for the dredging of Apponagansett Bay in the town of Dartmouth	22,250,000
2800-7098	For dredging projects in the Commonwealth's coastal harbors and waterways, including those projects requiring a state or local match to partner with federally authorized projects.....	5,000,000
2840-7014	For the design, construction, reconstruction, removal, improvement or rehabilitation of department reservations, forests, parks, harbor islands, skating rinks, swimming pools, golf courses, tennis courts, basketball courts, playgrounds, other recreational facilities, and beaches and related facilities, and storage buildings, office buildings and other parks buildings, and equipment and for the planning, design, construction, reconstruction, rehabilitation, or improvement of department bike paths, greenways, recreational trails, and related facilities and equipment; provided that not more than \$1,250,000 shall be expended for restoration and reconstruction of the former superintendent's house at Wachusett Mountain State Park; provided further that not more than \$6,300,000 shall be expended for maintenance, repairs, and construction at the Connors Pool in Waltham; provided further, that not less than \$50,000 shall be expended for a design study for bicycle accommodations on Hammond Pond Parkway in the city of Newton, and all areas appurtenant thereto; provided further, that not less than \$500,000 shall be expended for the purpose of providing matching funds for the construction of a walking trail along Argilla Road from the downtown area to Crane Beach in the town of Ipswich; provided further, that \$75,000 shall be expended for a design study for bicycle/walking accommodations on a former railway right-of-way that connects the villages of Auburndale and Newton Lower Falls in the city of Newton, from the Auburndale Commuter Rail Station to the Riverside MBTA Station along a rail trail to Wellesley Lower Falls and including the feasibility of reusing existing railroad bridges crossing route 128 and the Charles River along that right-of-way; provided further, that not less than \$173,000 shall be expended for a historical renovation of the New Salem Academy Building; provided further that not less than \$15,000,000 shall be expended for the planning, design, and maintenance of bike paths, facilities and greenways for the bicycle recre-	

ating public; provided further that not more than \$150,000 shall be expended for renovations, repairs, or replacement at the Crosby Mansion and Cape House; provided further, that not less than \$918,000 shall be expended for the planning and design of the Quinebaug Rail Trail and bikeway along the former Providence and Worcester Railroad right-of-way through the towns of Southbridge, Dudley and Webster; provided further, that not less than \$50,000 shall be expended for improvements at Manning state forest in the town of Billerica; provided further, that not less than \$2,500,000 shall be expended for ice bed system replacement and HVAC and roof repairs at the Veterans' Memorial Hockey Rink in the city of Somerville; provided further, that not less than \$4,000,000 shall be expended to create an upstream retention of storm water to reduce flooding in Jacobs Meadow and Cohasset Village in the town of Cohasset; provided further, that not less than \$2,800,000 shall be expended for the boardwalk area in the town of Newburyport; provided further, that not less than \$10,000,000 shall be expended for the environmental cleanup and remediation of the former Belchertown State School in the town of Belchertown; provided further, that not less than \$5,500,000 shall be expended for parking lot and road reconstruction at the Mount Wachusett state reservation; provided further, that not less than \$75,000 shall be expended to increase the existing water supply capabilities of the Harold Parker Water Cistem in the town of Andover; provided further, that not less than \$275,000 shall be expended for the purpose of providing matching funds for the design, engineering and construction of a boardwalk along the Ipswich River in the town of Reading; provided further, that not less than \$50,000 shall be expended for reclaiming and greening alleyways in the city of Lawrence; provided further that not less than \$5,000,000 shall be expended for the rehabilitation and reconstruction of the Emmons Horrigan O'Neill Memorial Rink in the Charlestown Neighborhood of the city of Boston; provided further, that not less than \$300,000 shall be expended for clean up, planning and design of a multi-use recreational field within or adjacent to the Blue Hills Reservation in the town of Canton; provided further, that not less than \$100,000 shall be expended for improvements to Thomson Field in the town of North Andover; provided further, that not less than \$200,000 shall be expended for the design and construction of a walking path connecting the upper part of the city of Methuen to the Lower portion near Searle's Estate in the city of Methuen; provided further, that not less than \$1,600,000 shall be expended for the Salisbury Beach Boardwalk area; provided further, that \$3,405,000 shall be expended for improvements at Breakheart Reservation including developing a master plan for the Breakheart Reservation area, rebuilding the barn as a green educational center, repairing the flume, adding playground equipment, covered picnic shelters, lifeguard chairs, a shuttle, a solar powered circulator for Silver Lake, and

permanent bathrooms, a changing and first aid station, and concession building by Silver Lake, improving Bark Place, repairing fire equipment, improving public safety within the designated swimming areas including those areas at Camp Nihan, and improvements at Camp Nihan including insulating walls and replacing windows in cabins, replacing woodstoves, and adding a solar powered circulator for Peckham Pond, energy efficient heating in Sprague Lodge, refrigeration units, back up power, and a wind powered 110-volt system; provided further that that not less than \$1,000,000 shall be expended for the purpose of partially matching federal coastal wetland restoration projects within the Rumney Marshes Area of Critical Environmental Concern; provided further, that not less than \$250,000 shall be expended for municipal dam repairs in the town of Foxborough; provided further that that not less than \$1,000,000 shall be expended within the layout of the former Saugus Branch railroad, including developing a master plan, a multi-use trail, and the design and construction of park improvements on the so-called Bacon property in Saugus; provided further, that not less than \$500,000 shall be expended for Arsenic Remediation at the Ledge Road Landfill in Andover; provided further, that not less than \$6,000,000 shall be expended for acquisition of the east Boston Camps property in the town of Westford; provided further, that not less than \$250,000 shall be expended for the study and planning of a water system in the town of Charlton; provided further that not less than \$1,000,000 be expended for the new Waterfront Park in the city of Newburyport; provided further, that not less than \$1,300,000 shall be expended for the Union Crossing Storm Management Project in the city of Lawrence; provided further that up to \$15,000 shall be expended for an environmental baseline study on the property commonly known as the Otis Fish & Game Club located on the Massachusetts Military Reservation; provided further that \$2,500 shall be expended for an application fee to the United States Army Corps of Engineers on behalf of the Otis Fish & Game Club for license fee for usage of said property; provided further, that not less than \$250,000 shall be expended to develop an open space protection plan for the Saugus River and its tributaries, including studies to improve flood storage capacity and protect public water supplies; provided further, that not less than \$2,893,000 shall be expended for a closure and redevelopment plan of the Hull Landfill in the town of Hull; provided further, that not less than \$800,000 shall be expended for the waterfront restoration project in the town of Watertown; provided further, that not less than \$1,000,000 shall be expended for athletic fields in Walpole; provided further, that not less than \$5,659,000 shall be expended for construction of a permanent ice skating rink to serve the neighborhoods of Jamaica Plain and Roxbury in the city of Boston; provided further, that not less than \$500,000 be expended for a Heritage Park in the lower Millyard in the town of Amesbury; provided fur-

ther, that not less than \$120,000 shall be expended for the development of comprehensive watershed hydrological studies and resulting watershed management plans for the Fish Brook, Pye Brook and Parker River in the town of Boxford; provided further, that not less than \$100,000 shall be expended for emergency repairs to the Grand Army of the Republic Monument on the Natick Common; provided further, that not less than \$4,400,000 shall be expended for the construction and rehabilitation of the Melnea Cass rink and pool in the city of Boston into an enclosed public roller-skating rink; provided further, that not less than \$10,000,000 shall be expended for enhancements to Horseneck Beach State Reservation including construction and rehabilitation of the Horseneck Beach campgrounds and Gooseberry Island; provided further, that not less than \$300,000 shall be expended at Fort Phoenix State Reservation; provided further, that not less than \$2,500,000 shall be expended for restoration of and equipment for the Schooner Ernestina; provided further, that not less than \$1,000,000 shall be expended for the Riverwalk in the city of Lawrence; provided further, that not less than \$500,000 shall be expended for the creation of a Regional Sewer District Recharge Site in the town of Norton; provided further, that not less than \$100,000 shall be expended for the development of fields at the Cole Recreation Center; provided further, that not less than \$150,000 shall be expended for renovations to Hayes Stadium in the town of North Andover; provided further, that not less than \$1,000,000 shall be expended for improvements to Houghton's Pond athletic fields; provided further, that not less than \$2,000,000 shall be expended for capital improvements to the Trailside museum; and provided further, that not less than \$1,000,000 shall be expended on rehabilitation to Palmer's Island Lighthouse; provided further, that not more than \$2,000,000 be expended for the construction and associated costs of a town wading pool at Buttery Brook Park in South Hadley in consideration of the Department of Conservation and Recreation's demolition of the state pool formerly located in the park; provided further, that not less than \$200,000 shall be expended for parking and access improvements to the Mount Tom Reservation from newly acquired land on East Street in the City of Easthampton; provided further, that not less than \$925,000 shall be expended on the design, renovation and reconstruction of the Surf Drive Bath House and the Old Silver Beach Bath House in the Town of Falmouth; provided further, that not less than \$600,000 shall be expended for the study, preliminary design, site preparation and associated costs of the Greylock Glen environmental center and outdoor amphitheater in the town of Adams; provided further that not less than 75,000 shall be expended for improvements and pond and beach reclaiming at Howe State Park; provided further that \$500,000 to be used for a matching grant for the restoration of the Holmes Field Park Pool and Recreation area in the city of Worcester; provided further that not less than \$500,000 shall be expended for the construction of a visitors and education center in the Freetown state forest

located in the town of Freetown; provided further, that not less than \$1,000,000 shall be expended for the conversion of the landfill on Mountain Street in the Town of Sharon to athletic fields; provided further, that no less than \$2,000,000 shall be expended for the maintenance and facility care of the Connell Rink and Pool located in the Town of Weymouth; provided further, that not less than \$650,000 shall be expended for improvements, expansion and rehabilitation of the State swimming pool in Blunt Park in Springfield; provided that \$250,000 shall be expended for repairs and renovations to the Hall Memorial Swimming and Wading Pool in the Town of Stoneham; provided further, that not less than \$200,000 shall be expended for mechanical systems upgrades, including heating and air conditioning systems, to the Gardner Heritage State Park Visitors Center; provided further, that not less than \$200,000 shall be expended for Phase V engineering and design for the North Central Pathway Project in Gardner and Winchendon; provided further that not less than \$500,000 be expended for lights and security cameras for the bike path in the Connecticut River Bike Path from the South End to the North End in the City of Springfield; provided further that not less than \$250,000 be expended for lighting on Plainfield Street in Kenefick Park in the City of Springfield; provided further that not less than \$1,500,000 be expended for the rehabilitation of the Springfield Riverfront Park; provided further that rehabilitation to Palmer's Island Lighthouse" the following: "provided further, that not less than \$3,700,000 be spent for the Community Boating Facility Pier Construction Project; provided further that \$3.5 million shall be expended for the construction of phase two of the Mystic Valley Parkway in the town of Arlington; provided further, that not less than \$150,000 shall be expended for the Crocker Field Restoragion projects in the city of Fitchburg; provided further, that not less than \$80,000 shall be expended for a study of the Mirror Lake Dam at Coggshall Park in the city of Fitchburg; provided further, that not less than \$250,000 shall be expended for the Steamline Trail wall repair project in the city of Fitchburg; provided further, that no less than \$50,000 to the Quincy Environmental Network for supporting environmental education and initiates in the Quincy schools in the City of Quincy; provided further, that \$250,000 shall be expended for improvements to Prospect Hill Park in Waltham; provided further, that \$250,000 shall be expended for the extension of the Wayside Rail Trail in the city of Waltham; provided further, that \$100,000 shall be expended for the maintenance and enhancement of Hardy pond in the city of Waltham; provided further, that not less than \$30,000 shall be expended for well-water installation at Gile Rd. facility in Milton; provided further, that not less than \$250,000 shall be expended for athletic fields in Milton; provided further, that not less than \$250,000 shall be expended for repair and renovation for the Ulin Rink in Milton; provided further, that not less than \$1,166,500 shall be expended to Marion's Camp and the Mumford Riverwalk Recreation Project; provided fur-

	ther, that not less than \$250,000 shall be expended for the Bellingham Rail-to-Trail Bikeway; provided further, that not less than \$250,000 shall be expended to Marion’s Camp and the Mumford Riverwalk Recreation Project; provided further, that not less than \$250,000 shall be expended to the Mumford Riverwalk Recreation Project; provided further, that no less than \$200,000 be expended for the renovation of Liberty Heights Park in the City of Springfield; provided further, that no less than \$1,000,000 be expended for erosion damage in Forest Park in the City of Springfield; provided further that not less than \$1 million shall be expended for the restoration and rehabilitation of existing structures at Hazelwood Park in the City of New Bedford; provided further, that no less than \$50,000 to the Waltham Land Trust for supporting environmental education and initiatives in the Waltham Schools in the City of Waltham; provided further, that no less than \$10,000 for the Waltham Garden Club for the purposes of environmental beautification project in the City of Waltham; provided further that not less than \$250,000 be expended for the Green Pond Boat Ramp in the town of Falmouth	220,950,000
2840-7017	For the design, construction, reconstruction, repair, improvement or rehabilitation of flood control facilities and water resource protection related facilities and water resource protection related facilities of the department, including its various pump stations and structures	30,000,000
9300-7010	For the Leading by Example Program, so-called, to reduce greenhouse gas emissions and other environmental impacts at state agencies, authorities, and public colleges and universities; to stimulate increased public and private sector investment in clean energy and related enterprises, institutions, and projects in the commonwealth, including providing economic assistance for the development of these enterprises and non-financial assistance for their development, permitting, and construction; and to otherwise provide technical and financial assistance, including the promotion of alternative energy resources and energy efficiency in support of policy initiatives	2,500,000
	<i>Division of Energy Resources.</i>	
9300-7909	For the energy conservation improvement program, under section 11 of chapter 25A of the General Laws; provided, that funds in this item shall be allocated from time to time by the commissioner of the division of energy resources for the purposes of the energy audit program, the energy conservation improvement program, and the alternative energy property program, and for other programs that increase energy efficiency and the deployment of renewable resources at public facilities; provided further, that when expending these funds, the commissioner shall take into consideration, among other relevant actors, the amount of available state and federal financial resources, the needs of each program with respect to public buildings and facilities, the volume of requests or expected requests from other entities for assistance under each program, the	

expected costs and public benefits of each program and, after information has become available from the energy audit program, the priorities and needs indicated by that information; provided further, that funds shall be expended on the buildings and facilities owned by public entities; and provided further, that grants may be issued for the purposes of this line item

13,250,000

MASSACHUSETTS DEPARTMENT OF EDUCATION.

University of Massachusetts Amherst.

7100-0299 For the Massachusetts state geologist, provided, that funds from this item may be allocated for the purposes of leveraging additional federal dollars to support bedrock, fracture, and geologic surface mapping, natural hazards mapping, and subsurface data preservation in support of the Commonwealth's interest in gathering and disseminating geologic information; provided further that funds from this item may also be authorized to support the dissemination of geologic information in digital form;

2,500,000

1 SECTION 2B.

**EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS.**

Department of Conservation and Recreation.

2890-7010 For the design, construction, reconstruction, repair, improvement, or rehabilitation of department of conservation and recreation parkways, boulevards, bridges and related appurtenances and equipment, including but not limited to the costs of engineering and other services for those projects rendered by department of conservation and recreation employees or by consultants; provided, that funds may be expended for pedestrian and bicycle safety, traffic calming, landscape improvements, street lighting, and safety equipment; provided further, that all work funded by this item shall be carried out according to standards developed by the department of conservation and recreation 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 not less than \$1,300,000 shall be expended for sidewalk and drainage improvements to the Lynn Fells Parkway in Saugus; provided further, that not less than \$50,000 shall be expended to reestablish and increase tidal flow through the enlargement of the Parker Avenue-Border Street culvert in the town of Cohasset; provided further, that not less than \$400,000 shall be expended for improvements at Humewell Field in town of Natick; provided further, that not less than \$50,000 shall be expended for the schematic design phase of the Sustainable Building demonstration Project for the Hitchcock Center for the Environment in Western Massachusetts; provided further, that not less than \$50,000 shall be expended for the repair of streetlamps on the Mystic Valley Parkway in the city of

Medford; provided further, that not less than \$750,000 shall be expended for the signalized intersection at Eliot St and Arborway in the city of Boston as provided for in the Arborway Master Plan; provided further, that not less than \$420,000 shall be expended for design and construction of a traffic light at the intersection of Grove Street and Greenough Boulevard in town of Watertown; provided further, that not less than \$5,000,000 shall be expended to repair and reconstruct the Nantasket Beach seawall in the town of Hull; provided further, that not less than \$3,000,000 shall be expended for the maintenance, repairs and reconstruction of seawalls in the towns of Scituate and Marshfield; and provided further, that not less than \$900,000 shall be expended to complete Phase I of Blue Hills Parkway improvements; provided that not less than \$500,000 be expended for improvements to Sargent Field in Natick; provided that not less than \$100,000 be expended for improvements at Coolidge Field in Natick; provided further that not less than \$1.5 million be expended from the monitoring, cleaning, maintenance, mitigation and dredging for the Fellsmere Pond in the City of Malden; provided further, that not less than \$4,000,000 be spent for the design and construction of a pedestrian bridge spanning the tracks at North Station along the southerly bank of the lower Charles River Basin in Boston; provided further, that no less than \$20,000 for the “Friends of Wollaston Beach” for the environmental beautification and maintenance of Wollaston Beach in the City of Quincy; provided further, that \$2,000,000 shall be expended for the restoration of the main access road in the Mount Tom State Reservation in Holyoke

75,100,000

2890-7011

For the design, maintenance, reconstruction, repair, and rehabilitation of vehicle bridges under the control of the department of conservation and recreation; provided, that notwithstanding any general or special law to the contrary, funds may be allocated through an interagency service agreement to the department of highways; provided further, that the agreement shall specify that a spending plan shall be filed each year with the commissioner of conservation and recreation providing a schedule of outlays from this item; provided further, that the agreement shall specify that a report shall be filed by the department of highways and the department of conservation and recreation to the joint committee on transportation and the joint committee on environment, natural resources, and agriculture by September 30 of each year detailing the status of work undertaken through this line item for the previous fiscal year; provided further, that all work funded by this item undertaken by the department of highways under any interagency service agreement shall be carried out according to standards developed by the department of conservation and recreation pursuant to historic parkways preservation treatment guidelines to protect the scenic and historic integrity of the bridges and parkways under its control; and provided further, that final design of the bridges shall be subject to the review

and approval of the commissioner of the department of conservation and recreation; provided further that notwithstanding any other general or special law to the contrary or other provisions of this section, the Storrow Drive tunnel, as part of the Storrow Esplanade parkland in Boston, shall continue to be under the design control of the department of conservation and recreation, including compliance with Chapter 30, Sections 61 to 62H 250,000,000

1 SECTION 3. Paragraph (a) of section 12 of chapter 372 of the
 2 acts of 1984, is hereby amended by striking out the fifth sentence,
 3 as most recently amended by section 62 of chapter 139 of the acts
 4 of 2006, and inserting in place thereof the following sentence:—
 5 The aggregate principal amount of all bonds issued under
 6 authority of this act shall not exceed \$6,450,000,000 outstanding
 7 at any one time; provided, however, that bonds for the payment of
 8 redemption of which, either at or prior to maturity, refunding
 9 bonds shall have been issued shall be excluded in the computation
 10 of outstanding bonds.

1 SECTION 4. Section 16 of said chapter 372 of the acts of 1984
 2 is hereby amended by striking out the fourth sentence, as most
 3 recently amended by section 63 of chapter 139 of the acts of 2006,
 4 and inserting in place thereof the following sentence:— The
 5 aggregate principal amount of all bonds issued under the authority
 6 of this act shall not exceed \$6,450,000,000 outstanding at any one
 7 time; provided, however, that bonds for the payment of redemp-
 8 tion of which, either at or prior to niaturity, refunding bonds shall
 9 have been issued shall be excluded in the computation of out-
 10 standing bonds.

1 SECTION 5. To meet the expenditures necessary in carrying
 2 out section 2A, the state treasurer shall, upon request of the gov-
 3 ernor, issue and sell bonds of the commonwealth, in an amount to
 4 be or from time to time, but not exceeding, in the aggregate, the
 5 sum of \$1,338,680,000. All bonds issued by the commonwealth,
 6 as aforesaid, shall be designated on their face, Preservation and
 7 Improvement of Environmental Assets Loan Act of 2008, and
 8 shall be issued for a maximum terms of years, not exceeding 30
 9 years, that the governor may recommend to the general court
 10 under section 3 of Article LXII of the Amendments to the Consti-

11 tution. All these bonds shall be payable not later than June 30,
12 2043. All interest and payments on account of principal of these
13 obligations shall be payable from the General Fund unless other-
14 wise specified. Bonds and interest on bonds issued under the
15 authority of this section, notwithstanding any other provision of
16 this act, shall be general obligations of the commonwealth.

1 SECTION 6. To meet the expenditures necessary in carrying
2 out section 2B, the state treasurer shall, upon request of the gov-
3 ernor, issue and sell bonds of the commonwealth in an amount to
4 be specified by the governor from time to time, but not exceeding,
5 in the aggregate; the sum of \$325,000,000. All bonds issued by
6 the commonwealth, as aforesaid, shall be designated on their face,
7 Environmental Transportation Assets Loan Act of 2008 and shall
8 be issued for a maximum term of years, not to exceed 30 years,
9 that the governor may recommend to the general court under
10 section 3 of Article LXII of the Amendments to the Constitution.
11 All these bonds shall be payable not later than June 30, 2043. All
12 interest and payments on account of principal of these obligations
13 shall be payable from the General Fund unless otherwise speci-
14 fied. Bonds and interest on bonds issued under the authority of
15 this section, notwithstanding any other provision of this act, shall
16 be general obligations of the comntonwealth.

1 SECTION 7. Notwithstanding any general or special law to the
2 contrary, each agency acquiring land or an interest in land under
3 section 2A may expend an amount not to exceed 5 per cent of the
4 amount appropriated to that agency in said section 2A for the pur-
5 pose of reimbursing nonprofit land conservation organizations or
6 land trusts for reasonable expenses directly associated with the
7 acquisition of land or interests in land subsequently conveyed to
8 the commonwealth. Reimbursements shall be made at the discre-
9 tion of the agency. The secretary of energy and environmental
10 affairs shall determine by regulation what shall constitute reason-
11 able expenses. If the commonwealth does not take title to the
12 property through no fault of the nonprofit organization or the
13 commonwealth, the commonwealth may reimburse the nonprofit
14 organization for reasonable expenses associated with due dili-
15 gence. An organization receiving a reimbursement under this

16 section shall convey the land or interest in land to the agency for
17 an amount not to exceed the actual purchase price paid by the
18 organization for the land or interest in land in addition to any
19 reimbursement received under this section.

1 SECTION 8. Notwithstanding any general or special law to the
2 contrary, no municipality receiving funds authorized pursuant to
3 section 2A shall use said funds to supplement or supplant normal
4 operating expenses of any function of the municipality.

1 SECTION 9. Notwithstanding any general or special law to the
2 contrary, funds may be expended for services rendered by agency
3 employees or by consultants necessary to support projects autho-
4 rized in section 2A and section 2B.

1 SECTION 9A. Notwithstanding any general or special law, rule
2 or regulation to the contrary, swimming shall be allowed on Spec-
3 tacle Pond in the Town of Sandisfield.

1 SECTION 10. Notwithstanding any general or special law to
2 the contrary, upon acquiring any fee interest in land for purposes
3 within Article XCVII of the Amendments to the Constitution, all
4 state agencies, commissions and boards expending or receiving
5 state funds under this act shall obtain the approval of the secretary
6 of energy and environmental affairs before implementing or
7 endorsing any prohibition of fishing, hunting or trapping on that
8 land and shall provide the secretary with written justification of
9 the prohibition.

1 SECTION 11. Notwithstanding section 30 of chapter 29 or
2 section 65 of chapter 30 of the General Laws, or any other general
3 or special law to the contrary, a poltion of the funds authorized in
4 section 2A may be used for the costs associated with the purchase
5 of title insurance and services for title examinations, reports and
6 certifications.

1 SECTION 12. Notwithstanding any general or special law to
2 the contrary, all expenditures from items in section 2A authorized
3 as grants to non-public entities shall be expended for public pur-

4 poses and shall comply with Article 103 of the Amendments to
5 the Constitution and 815 CMR 2.00.

1 SECTION 13. Notwithstanding any general or special law to
2 the contrary, the water pollution abatement trust established under
3 chapter 29C of the General Laws may make a loan to the city of
4 Worcester for the components within the city of the project
5 described in Department of Conservation and Recreation Waste
6 Water Project No. WM93-001-SIA, Waste Water Facilities Plan
7 West Boylston — Holden — Wachusett Reservoir Project, which
8 are on the department of environmental protection's intended use
9 plan for calendar year 2008. Notwithstanding any general or
10 special law to the contrary, the commonwealth shall provide con-
11 tract assistance to the trust under section 6 or section 6A of
12 chapter 29C in each fiscal year of the commonwealth in amounts
13 sufficient to provide a subsidy or other assistance to the trust for
14 all of the debt service payable on the loan.

1 SECTION 13A. Chapter 83 of the General Laws is hereby
2 amended by adding the following new sections: —

3 Section 1A. Notwithstanding the provisions of sections 1 and 3
4 of chapter 83 of the General Laws to the contrary, any munici-
5 pality or sewer district adopting this section is hereby authorized
6 to lay out, construct, maintain and operate a system or systems of
7 common sewers and main drains in public or private ways for that
8 part of its territory as it adjudges necessary to reduce or eliminate
9 the impacts of nutrient enrichment on surface water bodies or
10 sources of drinking water with such connections and other works
11 as may be required for a system or systems of sewerage and
12 drainage, and sewage treatment and disposal. Adoption of this
13 section is subject to majority vote of the municipality and subject
14 further to said municipality having an approved Comprehensive
15 Water Resources Management Plan (CWMP), as defined by the
16 Department of Environmental Protection (DEP).

17 Section 1B. At the commencement of operation of the munici-
18 palities' sewer system authorized by section 1A of chapter 83 of
19 the General Laws, the owner of land abutting upon a private or
20 public way in which a common sewer has been laid shall be
21 required by the board or officer having charge of the maintenance

22 and repair of sewers to connect such land with a common sewer
23 only if the land in question is within the area(s) identified in the
24 DEP approved CWMP and has been specifically identified in the
25 plan as requiring wastewater collection and treatment for flows in
26 existence on said properties at the time of adoption of this act in
27 order to protect surface waters or drinking water resources from
28 the effects of nutrient enrichment; or the on-site subsurface
29 sewage disposal system serving said land fails to comply with the
30 provisions of 310 CMR 15.000, et seq. and an on-site subsurface
31 sewage disposal system cannot be constructed on the property in
32 compliance with said regulations and an enhanced treatment
33 system under remedial use cannot be designed and constructed to
34 adequately treat sewage from said property; or to service housing
35 of which at least 15 per cent of the housing units are deed
36 restricted to residents with incomes no greater than 80 per cent of
37 the area median income paying no more than 30 per cent of their
38 income towards housing. The town shall not allow an abutting
39 property owner utilizing an enhanced treatment system under
40 remedial use to opt out of connecting to the sewer system unless
41 the town implements a monitoring and inspection plan approved
42 by the department of environmental protection for such remedial
43 system or systems. Such plan may include the assessment of a rea-
44 sonable fee by the board of health to implement the monitoring
45 and inspection plan.

46 Notwithstanding any provision of sections 1 and 3 of
47 Chapter 83 to the contrary, owners of land not identified in the
48 CWMP as needing to be connected to the municipal treatment
49 works shall not be permitted to connect to the sewer system. Said
50 plan may be amended from time to time by the board or officer
51 having charge of sewers, after a public hearing conducted to con-
52 sider such amendment, and upon approval of the department of
53 environmental protection. The board or officer having charge of
54 sewers shall adopt regulations within 120 days after the adoption
55 of this act establishing publication and notification procedures to
56 carry out the purposes of this section.

57 Section 1C. After commencement of operations of the sewer
58 system authorized pursuant to section 1A of chapter 83 of the
59 General Laws, additional connections shall be permitted within

60 the final area of concern by such board or officer having charge of
61 the maintenance and repair of sewers, subject to available
62 capacity, only upon certification by the board of health that the
63 on-site subsurface sewage disposal system on land abutting upon a
64 private or public way in which a common sewer has been laid
65 cannot comply with the provisions of 310 CMR 15.000, et seq., or
66 in the case of new construction, expansion of an existing struc-
67 ture, a change in use, or increases in flow from said land, such
68 expansion, change in use, or increase in flow does not result in
69 sewage flow in excess of the amount of said regulations flow
70 capacity or actual flow resulting from a legal use of said land,
71 whichever is greater, which existed on the date of adoption of this
72 act as determined by the board of health. Notwithstanding any-
73 thing to the contrary contained herein, the board or officer having
74 charge of the maintenance and repair of sewers may at any time
75 permit extensions, new connections or increases in flow to the
76 sewer system, subject to capacity, to serve municipal buildings,
77 public restrooms, or other public service uses, including but not
78 limited to housing of which at least 15 per cent of the housing
79 units are deed restricted to residents with incomes no greater than
80 80 per cent of the area median income paying no more than 30 per
81 cent of their income towards housing.

82 Section 1D. Notwithstanding the provisions of chapters 80 and
83 83 of the General Laws to the contrary, a municipality acting
84 under section 1A of Chapter 83 may make assessments upon
85 owners of land abutting upon a private or public way in which a
86 common sewer has been laid only at the time of actual connection
87 to the common sewer. Nothing herein shall preclude the town
88 from making estimated sewer assessments pursuant to section 15B
89 of said chapter 83. The municipality may make equitable adjust-
90 ments to the annual charges established pursuant to section 16 of
91 said chapter 83 for the use of common sewers by owners of land
92 who connect under this act for the purpose of insuring an equi-
93 table distribution of the total sewer system costs, including assess-
94 ments and sewer use charges.

95 Section 1E. Every decision by the board or officer having
96 charge of sewers permitting or denying a connection to the sewer
97 system pursuant to sections 1A-ID of chapter 83 of the General
98 Laws shall be made in writing. Any person aggrieved by such a

99 decision may appeal said decision within 30 days of issuance pur-
100 suant to the provisions of section 14 of chapter 30A.

101 Section 1F. In carrying out the provisions of sections 1A-1E of
102 chapter 83 of the General Laws, a municipality shall not discrimi-
103 nate against any person on the grounds of race, color, marital
104 status, physical disability, age, sex, sexual orientation, religion,
105 ancestry or national origin in any manner prohibited by the laws
106 of the United States, the commonwealth.

107 Section 1G. Notwithstanding the provisions of any general or
108 special law to the contrary, a municipality with a Comprehensive
109 Water Resources Management Plan under review or approved by
110 the Department of Environmental Protection is hereby authorized
111 to establish and maintain a separate account into which it may col-
112 lect and deposit and expend funds from property owners for the
113 difference in cost between a conventional subsurface wastewater
114 disposal system as required in 310 CMR 15.00, et seq, and the
115 cost of a subsurface wastewater disposal system designed to
116 reduce the nitrogen discharge from said system as long as the
117 property in question is identified in the CWMP as being a priority
118 for the installation of a wastewater collection and treatment
119 system for the purposes of reducing the impacts of excessive
120 nitrogen on marine waters and drinking water supplies. Funds
121 from this account may be used only for the purpose of the con-
122 struction, maintenance and operation of said wastewater treatment
123 and collection works and shall be applied to toward the costs of
124 connection and or betterment assessed to the property(s) in ques-
125 tion.

126 Section 1H. Notwithstanding the provisions of Chapter 44,
127 section 7, a municipality or sewer district adopting the provisions
128 of Section 1A is authorized to borrow and assess betterments for a
129 term not to exceed 50 years or the useful life as approved by the
130 Department of Environmental Protection, whichever is shorter, for
131 the construction its wastewater treatment systems and con-
132 veyances determined; and provided further that short term bor-
133 rowing may extend for a period not to exceed 5 years.

1 SECTION 13B. Section 6 of chapter 29C of the General Laws,
2 as appearing in the 2004 Official Edition, is hereby amended by
3 inserting after the words “2 per cent”, in line 34, the following
4 words:— ,but all permanent loans and other forms of financial

5 assistance made by the trust to finance the costs of certain water
6 pollution abatement projects on the department's intended use
7 plan for calendar year 2009 and any subsequent calendar year up
8 to and including 2019, that meet the criteria listed below shall
9 provide for a subsidy or other assistance in the payment of debt
10 service such that the loans and other forms of financial assistance
11 shall be the financial equivalent of a loan made at a zero rate of
12 interest, and the costs of water pollution abatement projects on an
13 intended use plan that are eligible for a permanent loan or other
14 financial assistance from the trust at the financial equivalent of a
15 loan made at a zero rate of interest shall not exceed 35 per cent of
16 the total costs of all water pollution abatement projects on the
17 intended use plan. Projects that meet the following criteria, as ver-
18 ified by the Department of Environmental Protection, are eligible
19 for the zero rate of interest loans:

20 1. The project is primarily intended to remediate or prevent
21 nutrient enrichment of a surface water body or a source of water
22 supply;

23 2. The applicant is not currently subject, due a violation of a
24 nutrient-related Total Maximum Daily Load standard or other
25 nutrient based-standard, to a Department of Environmental Pro-
26 tection enforcement order, Administrative Consent Order or Uni-
27 lateral Administrative Order, enforcement action by the United
28 States Environmental Protection Agency or subject to a state or
29 federal court order relative to the proposed project;

30 3. The applicant has a Comprehensive Wastewater Management
31 Plan approved pursuant to regulations adopted by the Department
32 of Environmental Protection.

33 4. The project has been deemed consistent with the regional
34 water resources management plans if one exists.

35 5. The applicant has adopted land use controls, subject to the
36 review and approval of the Department of Environmental Protec-
37 tion in consultation with the Department of Housing and Eco-
38 nomic Development and, where applicable any regional land use
39 regulatory entity, intended to limit wastewater flows to the amount
40 authorized under zoning and wastewater regulations as of the date
41 of the approval of the CWMP.

1 SECTION 14. Notwithstanding any general or special law to
2 the contrary, the division of marine fisheries shall make expendi-
3 tures provided for in item 2300-7018 of section 2A of this act for
4 a shore-based monitoring program of federally-managed fisheries
5 for herring and mackerel within the commonwealth in accordance
6 with the provisions of this section.

7 The division shall make such expenditures and operate the pro-
8 gram under the direction of an oversight committee which shall
9 consist of the 9 members of the Massachusetts marine fisheries
10 advisory commission, and 1 additional member who shall be a
11 chairperson appointed by the secretary of the executive office of
12 environmental affairs. The division shall report annually to the
13 oversight committee on program performance and expenditures.

14 All vessels in federally-managed herring and mackerel fisheries
15 landing catch in Massachusetts shall offload the catch only under
16 the supervision of certified shore-based fishery observers who are
17 employees of the commonwealth or independent third-party con-
18 tractors, who shall ensure that, at minimum, the following data are
19 collected, recorded and made available to the public in summa-
20 rized fashion within 48 hours in an easily understood format that
21 is consistent with national marine fisheries service requirements
22 for the protection of individual vessel and dealer privacy:
23 (1) Actual weights of all landed target catch, incidental catch and
24 bycatch, using methods approved by the State Department of
25 Weights and Measures; and (2) a breakdown, by species, of the
26 composition of the entire landed catch by actual weight, landed
27 catch to include all fish offloaded whether or not retained for pro-
28 cessing.

29 For the purposes of this section, a certified shore-based fishery
30 observer shall mean a person who has been certified by the com-
31 monwealth or the national marine fisheries service under the
32 observer certification guidelines outlined in 50 CFR Part 648.11,
33 or the equivalent as approved by the program oversight com-
34 mittee, and who has no financial interest related to any small mesh
35 pelagic fishery.

1 SECTION 14A. (a). In this section, the term “Silver Maple
2 Forest” shall refer to a property also known as the Belmont
3 Uplands and comprised of Parcel 40-1 on the assessors’ map of

4 the Town of Belmont and an adjoining triangular parcel in the
5 City of Cambridge.

6 (b) Notwithstanding sections 40F to 405 of chapter 7 of the
7 General Laws or any other general or special law to the contrary,
8 the department of conservation and recreation may acquire, by
9 deed, easement, restriction, covenant or condition, but not through
10 eminent domain, the Silver Maple Forest.

11 (c) Within 90 days of the effective date of this act, the Commis-
12 sioner of the Department of Conservation and Recreation (“the
13 commissioner”) shall conduct an appraisal of the fair market value
14 of the Silver Maple Forest.

15 (d) Within 120 days of the effective date of this act, the com-
16 missioner shall determine an amount that the Commonwealth may
17 allocate from any lawfully available funds for the purpose of
18 acquiring the Silver Maple Forest. This amount shall be referred
19 to as ‘the state contribution’.

20 (e) Upon determining the state contribution, the commissioner
21 shall inform the Board of Selectman in Belmont, the Board of
22 Selectmen in Arlington and the City Council of Cambridge, in this
23 section called the local authorities of the results of the appraisal
24 and the amount of the state contribution, if any.

25 (f) Within 120 days of the transmittal by the commissioner, the
26 local authorities shall each certify, in language to be determined
27 by the commissioner, the amount of funds under their control
28 which are available for contribution towards the cost of the acqui-
29 sition of the Silver Maple Forest by the commissioner. Said funds
30 may include funds lawfully appropriated by the appropriating
31 bodies in Arlington, Belmont and Cambridge and may also
32 include private funds received by or on behalf of the local authori-
33 ties and held in escrow for application towards the acquisition.

34 (g) If the amount of said funds so certified equals or exceeds
35 the difference between the appraised fair market value of the
36 property and the state contribution, and if the owner of the prop-
37 erty enters into an agreement to convey the property for conserva-
38 tion purposes, the commissioner, upon receipt of said funds, shall
39 forthwith consummate the acquisition; provided, however, that
40 any deed conveying said parcel shall contain the restriction
41 required pursuant to subsection (h). If the amount of funds
42 received does not equal or exceed said difference, this section
43 shall become null and void.

44 (h) Notwithstanding any general or special law to the contrary,
45 the property described in subsection (a) shall be conveyed subject
46 to a conservation restriction imposed pursuant to section 31 of
47 chapter 184 of the General Laws, for the preservation and protec-
48 tion of wildlife and habitat and passive public recreation and
49 consistent purposes. Said conservation restriction, if taken and not
50 otherwise acquired, shall be subject to any easement or lesser
51 interest in land held by any person or governmental agency,
52 except for the owner, that lawfully exists and is recorded in the
53 appropriate registry of deeds.

1 SECTION 15. Notwithstanding any general or special law to
2 the contrary, the unexpended and unencumbered balances of the
3 bond funded authorizations in the following accounts shall cease
4 to be available for expenditure: 2240-9101, 2240-9105, 2240-
5 9106, 2240-9107, 2890-0012, 2250-8881, 2260-9882, 2820-7882,
6 2820-8881, 2820-8882, 2820-8883, 2840- 8886, 2840-8889, 2890-
7 0013, 2890-0014, 2890-0015, 2890-0016, 2820-8936, 2800-0950,
8 2800-0951, 2800-0952, 2820-8951, 2840-8950, 2840-8952, 2840-
9 8956, 2850-9951, 2890-0017, 2890-0019, 2260-9965, 2895-8968,
10 2000-7968, 2000-9963, 2250-9959, 2300-7967, 2300-8961, 2300-
11 8970, 2320-8960, 2320-8978, 2800-1961, 2820-8960, 2820- 8961,
12 2840-8963, 2840-8965, 2850-6966, 2850-6967, 2850-9969, 2896-
13 8967, 2820-6996, 2840-9990, 2895-8998, 2000-1997, 2000-7992,
14 2000-7993, 2300-7991, 2300-7992, 2800- 1122, 2800-7991, 2800-
15 7992, 2800-7993, 2800-7994 2820-1420, 2840-7991, 2840-7992,
16 2840-7993, 2840-7994.

1 SECTION 16. Section 15 shall take effect on November 1,
2 2008.

1 SECTION 17. Section 44 of chapter 85 of the Acts of 1994, as
2 most recently amended by section 19 of chapter 236 of the Acts of
3 2002, is hereby further amended by inserting after the word
4 “reservation”, in line 45, the following words:— “, CCC Camp in
5 Upton state forest”.

1 SECTION 18. Paragraph (1) of subsection (c) of section 21 of
2 chapter 7 of the General Laws, as appearing in section 7 of

3 chapter 169 of the acts of 2008, is hereby amended by striking out
4 clause (i) and inserting in place thereof the following clause:—
5 (i) to reimburse a municipality in which the properly tax
6 receipts, including, for the purposes of this clause, payments in lieu
7 of taxes and other compensation specified in an agreement
8 between a municipality and an affected property owner, are
9 reduced as a result of the mandates of RGGI or the regulation of
10 carbon dioxide emissions from electric generating stations;
11 provided, however, that the amount of the payment shall be the
12 difference between the amount of the tax receipts in the current
13 tax year and the amount of the tax receipts in the year before
14 implementation of RGGI; provided, further, that no reimburse-
15 ment shall be made if, in a tax year, the aggregate amount paid to
16 a municipality by the owner of an electric generating station
17 including, but not limited to, payments in lieu of taxes and prop-
18 erty taxes, exceeds the aggregate amount paid to that municipality
19 by that owner in the year before implementation of RGGI; and
20 provided, further, that payments from the fund shall be prioritized
21 so that the first payments from the fund shall be made to munic-
22 ipalities under this clause.

1 SECTION 19. Notwithstanding any general or special law to
2 the contrary, a private entity engaged in a construction, develop-
3 ment, renovation, remodeling, reconstruction, rehabilitation or
4 redevelopment project receiving funds pursuant to this act shall
5 properly classify individuals on the project and shall comply with
6 all laws concerning workers' compensation insurance coverage,
7 unemployment insurance, social security taxes and income taxes
8 with respect to all such employees. All construction contractors
9 engaged by an entity on any such project shall furnish documenta-
10 tion to the appointing authority showing that all employees
11 employed on the project have hospitalization and medical benefits
12 that meet the minimum requirements of the connector board estab-
13 lished in chapter 176Q of the General Laws.

1 SECTION 20. Chapter 94B of the General Laws is hereby
2 amended by adding the following section:—
3 Section 23. (a) For the purposes of this section the term “chil-
4 dren's leaded jewelry”, shall mean jewelry marketed to or

5 intended for use by children 12 years of age or younger that con-
6 tains a concentration of lead that has more than 600 parts per mil-
7 lion total lead content as of June 1, 2009, more than 300 parts per
8 million total lead content as of June 1, 2010 and 100 parts per mil-
9 lion total lead content as of June 1, 2012 as determined by the
10 United States Consumer Product Safety Commission's, hereinafter
11 referred to as "CPSC", screening test for total lead analysis based
12 on the Canada Product Safety Bureau Method or similar methods
13 subject to approval by the department, or would expose a child to
14 greater than 90 micrograms of lead per day over a chronic expo-
15 sure period as determined by the CPSC acid extraction test. Chil-
16 dren's leaded jewelry includes jewelry manufactured, shipped, or
17 sold at retail or wholesale, indoors or outdoors, over the internet
18 or through catalogs, and includes but is not limited to jewelry
19 (1) sold in: (i) vending machines, (ii) toy stores or (iii) toy dis-
20 plays, toy departments or toy sections or (2) that may use images
21 or otherwise be designed or packaged to be especially attractive to
22 children.

23 (b) The commissioner shall treat any children's leaded jewelry
24 as a banned hazardous substance under this chapter.

25 (c) Wholesalers and retailers of children's jewelry shall main-
26 tain documentation that such jewelry has been tested using the
27 CPSC lead screening test and the CPSC acid extraction test or
28 similar methods subject to approval by the department. The docu-
29 mentation shall be in the format and contain information required
30 by protocols established by the department, and shall be made
31 available to the department and consumers upon request.

32 (d) The commissioner shall promulgate rules and regulations to
33 carry out the purposes of this section or to facilitate compliance
34 therewith. Except for emergency regulations adopted pursuant to
35 section 2 of chapter 30A, any regulation, as defined in section 1 of
36 said chapter 30A, or any amendment or repeal of any such regula-
37 tion adopted by the commissioner pursuant to this section, shall,
38 after compliance with all applicable provisions of said
39 chapter 30A, except section 5, be submitted to the general court.
40 Said commissioner shall file the proposed regulation, amendment
41 or repeal with the clerk of the house of representatives, together
42 with a statement that the pertinent provisions of said chapter 30A,
43 except section 5 have been complied with. The clerk of the house

44 of representatives, with the approval of the president of the senate
45 and the speaker of the house of representatives, shall refer such
46 regulations to the joint committee on consumer protection and
47 professional licensure. Within 30 days after such referral, said
48 committee may hold a public hearing on the regulations and shall
49 issue a report to said commissioner. Said report shall contain any
50 proposed changes to the regulations voted upon by the committee.
51 The commissioner shall review said report and shall adopt final
52 regulations as deemed appropriate in view of said report and shall
53 file with the chairmen of said consumer protection and profes-
54 sional licensure its final regulations. If the final regulations do not
55 contain the changes proposed by the committee, the commissioner
56 shall send a letter to the committee accompanying the final regula-
57 tions stating the reasons why such proposed changes were not
58 adopted. Not earlier than 45 days after the filing of such letter and
59 final regulations with the said committee, said commissioner shall
60 file the final regulations with the state secretary as provided in
61 section 5 of said chapter 30A and said regulations shall thereupon
62 take effect. If no such proposed changes to the regulations are
63 made to the commissioner within 60 days of the initial filing of
64 the proposed regulation or any amendment or a repeal of such reg-
65 ulation with the clerk of the house of representatives, the commis-
66 sioner may file the final regulations with the state secretary as
67 provided in section 5 of said chapter 30A and said regulations
68 shall thereupon take effect.

1 SECTION 21. This act shall take effect June 1, 2009.

1 SECTION 22. Section 14 of chapter 61A of the General Laws,
2 as appearing in the 2006 Official Edition, is hereby amended by
3 striking out, in line 11, the words “forest use of” and inserting in
4 place thereof the following words:— agricultural or horticultural
5 use of such.

1 SECTION 23. Section 9 of chapter 61B of the General Laws, as
2 so appearing, is hereby amended by striking out, in line 11, the
3 words “forest use of such land” and inserting in place thereof the
4 following words:— use and care of such land for recreational
5 purposes.

1 SECTION 24. Section 6 of chapter 62 of the General Laws, as
2 most recently amended by chapter 63 of the acts of 2007, is
3 hereby amended by inserting at the end thereof the following new
4 subsection:—

5 (m) (1) As used in this subsection the following words shall
6 have the following meanings:—

7 “Bargain sale,” the sale of an interest in real property by a tax-
8 payer at a cost below appraised market value, when a portion of
9 the value of the interest in real property is a qualified donation, as
10 such terms are defined herein, and which meets the requirements
11 of Section 1011(b) of the Internal Revenue Code of 1986, as
12 amended.

13 “Certified land” or “certified lands,” an interest in real property,
14 as defined herein, the donation or bargain sale of which, as
15 defined herein, has first been determined by the secretary of envi-
16 ronmental affairs to be in the public interest for natural resource
17 protection, including, but not limited to, drinking water supplies,
18 wildlife habitat and biological diversity, agricultural and forestry
19 production, recreational opportunities, archaeological and histor-
20 ical resources, or scenic and cultural values. The secretary of
21 environmental affairs shall assure that all certified lands are pro-
22 tected in perpetuity.

23 “Interest in real property,” any right in real property in the com-
24 monwealth, with or without improvements thereon, or water,
25 including, but not limited to, fee simple, life estate, restriction,
26 easement, covenant, condition, partial interest, remainder, future
27 interest, lease, license, mineral right, riparian right, or other
28 interest or right in real property that may be conveyed concerning
29 the power to transfer property.

30 “Public or Private Conservation Agency,” the commonwealth,
31 or any subdivision thereof, or any municipality, or private non-
32 profit corporation organized for the purposes of land conservation,
33 which is authorized to do business in the commonwealth, and
34 which has tax-exempt status as a nonprofit charitable organization
35 as described in Section 501(c)(3) of the Internal Revenue Code of
36 1986, as amended.

37 “Qualified donation,” a donation, or the donated portion of a
38 bargain sale, made in perpetuity of a fee interest in real property
39 or a less-than-fee interest in real property, including a conserva-
40 tion restriction, agricultural preservation restriction or watershed

41 preservation restriction, pursuant to chapter 184 of the general
42 laws, provided that such less-than-fee interest meets the require-
43 ments of Qualified Conservation Contributions under the Internal
44 Revenue Code of 1986, Section 170(h).

45 “Taxpayer,” a taxpayer subject to the income tax under this
46 chapter.

47 (2) A taxpayer making a qualified donation of certified land to
48 a public or private conservation agency shall be allowed a credit
49 against the taxes imposed by this chapter.

50 The credit shall be equal to 50 percent of the fair market value
51 of the qualified donation. The amount of the credit that may be
52 claimed by a taxpayer for each qualified donation shall not exceed
53 \$50,000.

54 (3) The fair market value of certified land shall be substantiated
55 by a Qualified Appraisal, as defined in United States Treasury
56 Regulation Section 1.170A-13(c)(3), and shall be prepared by a
57 Qualified Appraiser, as defined in United States Treasury Regula-
58 tion Section 1.170A-13(c)(5). For any taxpayer to qualify for the
59 credit provided for in subdivision (2) of this section, the taxpayer
60 shall at the same time as the taxpayer files a return for the taxable
61 year in which the credit is claimed, file with the department a
62 summary of a Qualified Appraisal, or if requested by said depart-
63 ment, the taxpayer shall submit the appraisal itself.

64 (4) In any one tax year the credit used may not exceed the
65 amount of tax liability otherwise owed by the taxpayer. The tax
66 credit shall be taken against the taxes imposed under this chapter
67 and shall not be refundable. Any amount of the credit that exceeds
68 the tax due for a taxable year may be carried forward by the tax-
69 payer to any of the 10 subsequent tax years.

70 (5) The tax credits provided by this subsection shall apply to
71 transfers of interests in real property in taxable years beginning on
72 or after January 1, 20 10 and consecutive taxable years thereafter.

73 (6) All or any tax credits issued in accordance with this section
74 may be in addition to any charitable deductions claimed on the
75 taxpayer’s federal income tax return for the same qualified dona-
76 tions of certified lands.

77 (7) Any taxpayer claiming a state income tax or excise tax
78 credit under this section may not claim an additional state income
79 tax credit or deduction during any one tax year for costs related to
80 the same interest in certified lands.

81 (8) All or any tax credits which arise under this section from
82 the qualified donation of certified land by a pass-through tax
83 entity such as a trust, estate, partnership, corporation, limited part-
84 nership, limited liability partnership, limited liability corporation,
85 subchapter S organization, or other fiduciary, shall be used either
86 by such entity in the event it is the taxpayer on behalf of such
87 entity or by the member, partner, shareholder, or beneficiary, as
88 the case may be, in proportion to their interest in such entity in the
89 event that income, deductions, and tax liability passes through
90 such entity to such member, partner, shareholder, or beneficiary.
91 Such tax credits may not be claimed by both the entity and the
92 member, partner, shareholder, or beneficiary, for the same con-
93 veyance.

94 (9) All or any tax credits which arise under this chapter from
95 the qualified donations of certified land by a married couple shall
96 be used only if the spouses file a joint return, if both spouses are
97 required to file Massachusetts income tax returns. If only one
98 spouse is required to file a Massachusetts income tax return, that
99 spouse may claim the credit allowed by this chapter on a separate
100 return.

1 SECTION 25. Chapter 63 of the General Laws, as appearing in
2 the 2006 Official Edition, is hereby amended by inserting at the
3 end thereof the following new section:—

4 Section 38U. (a) As used in this section the following words
5 shall have the following meanings:—

6 “Bargain sale,” the sale of an interest in real property by a tax-
7 payer at a cost below appraised market value, when a portion of
8 the value of the interest in real property is a qualified donation, as
9 such terms are defined herein, and which meets the requirements
10 of Section 1011(b) of the Internal Revenue Code of 1986, as
11 amended. “Certified land” or “certified lands,” an interest in real
12 property, as defined herein, the donation or bargain sale of which,
13 as defined herein, has first been determined by the secretary of
14 environmental affairs to be in the public interest for natural
15 resource protection, including, but not limited to, drinking water
16 supplies, wildlife habitat and biological diversity, agricultural and
17 forestry production, recreational opportunities, archaeological and
18 historical resources, or scenic and cultural values. The secretary of

19 environmental affairs shall assure that all certified lands are pro-
20 tected in perpetuity. “interest in real property,” any right in real
21 property in the commonwealth, with or without improvements
22 thereon, or water, including, but not limited to, fee simple, life
23 estate, restriction, easement, covenant, condition, partial interest,
24 remainder, future interest, lease, license, mineral right, riparian
25 right, or other interest or right in real property that may be con-
26 veyed concerning the power to transfer property.

27 “Public or private conservation agency,” the commonwealth, or
28 any subdivision thereof, or any municipality, or private nonprofit
29 corporation organized for the purposes of land conservation,
30 which is authorized to do business in the commonwealth, and
31 which has tax-exempt status as a nonprofit charitable organization
32 as described in Section 501(c)(3) of the Internal Revenue Code of
33 1986, as amended.

34 “Qualified donation,” a donation, or the donated portion of a
35 bargain sale, made in perpetuity of a fee interest in real property
36 or a less-than-fee interest in real property, including a conserva-
37 tion restriction, agricultural preservation restriction or watershed
38 preservation restriction, pursuant to chapter 184 of the general
39 laws, provided that such less-than-fee interest meets the require-
40 ments of Qualified Conservation Contributions under the Internal
41 Revenue Code of 1986, Section 170(h).

42 “Taxpayer,” a taxpayer subject to the income tax under this
43 chapter.

44 (b) Land Conveyed for Conservation Purposes. A taxpayer
45 making a qualified donation of certified land to a public or private
46 conservation agency shall be allowed a credit against the taxes
47 imposed by this chapter. The credit shall be equal to 50 percent of
48 the fair market value of the qualified donation. The amount of the
49 credit that may be claimed by a taxpayer for each qualified dona-
50 tion shall not exceed fifty thousand dollars.

51 (c) The fair market value of certified land shall be substantiated
52 by a Qualified Appraisal, as defined in United States Treasury
53 Regulation Section 1.170A-13(c)(3), and shall be prepared by a
54 Qualified Appraiser, as defined in United States Treasury Regula-
55 tion Section 1.170A-13(c)(5). For any taxpayer to qualify for the
56 credit provided for in subsection (b) of this section, the taxpayer
57 shall at the same time as the taxpayer files a return for the taxable

58 year in which the credit is claimed, file with the department a
59 summary of a Qualified Appraisal, or if requested by said depart-
60 ment, the taxpayer shall submit the appraisal itself.

61 (d) In any one tax year the credit used may not exceed the
62 amount of tax liability otherwise owed by the taxpayer. The tax
63 credit shall be taken against the taxes imposed under this chapter
64 and shall not be refundable. Any amount of the credit that exceeds
65 the tax due for a taxable year may be carried forward by the tax-
66 payer to any of the 10 subsequent taxable years.

67 (e) The tax credits provided by this chapter shall apply to trans-
68 fers of interests in real property in taxable years beginning on or
69 after January 1, 2010 and consecutive taxable years thereafter.

70 (f) All or any tax credits issued in accordance with this section
71 may be in addition to any charitable deductions claimed on the
72 taxpayer's federal income tax return for the same qualified dona-
73 tions of certified lands.

74 (g) Any taxpayer claiming a state income tax or excise tax
75 credit under this section may not claim an additional state income
76 tax credit or deduction during any one tax year for costs related to
77 the same interest in certified lands.

78 (h) All or any tax credits which arise under this section from
79 the qualified donation of certified land by a pass-through tax
80 entity such as a trust, estate, partnership, corporation, limited part-
81 nership, limited liability partnership, limited liability corporation,
82 subchapter S organization, or other fiduciary, shall be used either
83 by such entity in the event it is the taxpayer on behalf of such
84 entity or by the member, partner, shareholder, or beneficiary, as
85 the case may be, in proportion to their interest in such entity in the
86 event that income, deductions, and tax liability passes through
87 such entity to such member, partner, shareholder, or beneficiary.
88 Such tax credits may not be claimed by both the entity and the
89 member, partner, shareholder, or beneficiary, for the same con-
90 veyance.

1 SECTION 26. (a) The secretary of the executive office of envi-
2 ronmental affairs shall promulgate regulations that define land eli-
3 gible for certification under this section 6 of chapter 62 and under
4 section 38U of chapter 63. Regulations shall be promulgated
5 within 180 days of passage of these sections.

6 (b) The secretary of environmental affairs, within five years of
7 passage of this act, shall prepare a report to the joint committee on
8 revenue and the joint committee on environment, natural
9 resources and agriculture, describing the certified lands conserved
10 under section 6 of chapter 62 and section 38U of chapter 63.

11 (c) The commissioner of revenue, in consultation with the
12 secretary of the executive office of environmental affairs, shall
13 promulgate regulations to administer under section 6 of chapter 62
14 and section 38U of chapter 63. Such regulations shall include pro-
15 visions to prevent the generation of multiple credits with respect
16 to the same property. Regulations shall be promulgated within 180
17 days of passage of this act.

18 (d) The commissioner, within five years of passage of this act,
19 shall prepare a report to the joint committee on revenue and the
20 joint committee on environment, natural resources and agricul-
21 ture, calculating the annual tax savings under section 6 of chapter
22 562 and section 38U of chapter 63.

23 (e) There shall be a commission to study the transferability of
24 tax credits under section 6 of chapter 62 and section 38U of
25 chapter 63. The commission shall be composed of nine persons,
26 including the commissioner of the department of agricultural
27 resources, or his designee, who shall serve as chairman; the com-
28 missioner of the department of revenue, or his designee; one
29 member of the house of representatives, to be appointed by the
30 speaker of the house of representatives; one member of the house
31 of representatives, to be appointed by the minority leader or the
32 house of representatives; one member of the senate, to be
33 appointed by the president of the senate; one member of the
34 senate, to be appointed by the minority leader of the senate; a rep-
35 resentative of the American Farmland Trust; a representative of
36 the Massachusetts Audubon Society; a representative of The
37 Nature Conservancy. The commission shall examine all aspects of
38 transferability, including but not limited to: the status of its appli-
39 cation in other states, potential fiscal impacts, and potential con-
40 servation benefits. The commission shall file a report of its
41 findings and recommendations, including any drafts of legislation
42 necessary to put its recommendations into effect with the joint
43 committee on revenue and joint committee on environment, nat-
44 ural resources and agriculture on or before January 1, 2011.

1 SECTION 27. Nothing in sections 24, 25 or 26 of this act shall
2 be interpreted in any way to alter or amend any permitting
3 requirements, reporting requirements, allocation procedures, or
4 other requirements set forth in any other provision of the General
5 Laws.