

SENATE No. 582

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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

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

An Act relative to sustaining natural and working lands.

PETITION OF:

NAME:

Bruce E. Tarr

DISTRICT/ADDRESS:

First Essex and Middlesex

SENATE No. 582

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 582) of Bruce E. Tarr for legislation relative to sustaining natural and working lands. Environment and Natural Resources.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to sustaining natural and working lands.

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. Chapter 21N is hereby amended by inserting at the following new section:-

2 SECTION 12. (a) The executive office of energy and environmental affairs shall develop
3 policies, programs, grants, loans and incentives to meet the statewide natural and working lands
4 goal as identified in the plan, including, but not limited to, a communities for a sustainable
5 climate program. The executive office of energy and environmental affairs shall apply and
6 disburse monies and revenues as provided in this section.

7 (b) The secretary shall establish a communities for a sustainable climate program. The
8 purpose of the program shall be to provide technical and financial assistance, including
9 incentives, grants and loans, to municipalities that qualify as sustainable communities under this
10 section. These incentives, grants and loans shall be used to finance all or a portion of the costs of
11 designing, constructing and implementing actions and strategies to reduce greenhouse gas
12 emissions and increase carbon sequestration on natural and working lands.

13 (c) To qualify as a community for a sustainable climate, a municipality or other local
14 governmental body shall comply with eligibility requirements developed by the secretary or his
15 designee. Eligibility requirements are intended to incentivize communities to adopt policies and
16 practices that protect, enhance, and restore carbon stocks on natural and working lands beyond
17 business as usual. The secretary shall set eligibility requirements from among, but not limited to,
18 the following: (1) adopt a municipal tree retention and replacement by-law or ordinance; (2)
19 adopt natural resource protection zoning, as defined by the secretary; (3) collect a reasonable fee
20 to be used exclusively for measures to remedy and offset the generation of greenhouse gases
21 caused by activities that convert forest, wetlands, and agricultural lands for development at a size
22 and scale determined by the secretary; (4) adopt a municipal transfer of development rights by-
23 law or ordinance; and (5) adopt and implement a municipal procurement policy for municipal
24 purchasing and substituting wood products for municipal operations and assets, where feasible,
25 including but not limited to, concrete and steel in buildings. The secretary may waive specified
26 requirements based on a written finding that, due to unusual circumstances, a municipality
27 cannot reasonably meet the requirements and that the municipality has committed to alternative
28 measures that advance the purposes of the communities for a sustainable climate program as
29 effectively as adherence to the requirements. The Secretary may adopt alternative eligibility
30 requirements that provide opportunities to achieve the goals of the program.

31 (d) The secretary may develop policies to provide for consistency and predictability and
32 to help offset the impacts of municipal ordinances and by-laws upon the private sector under the
33 communities for a sustainable climate program that may be adopted by participating
34 communities, including, but not limited to, grants, loans, incentives and tax credits and expedited

35 permitting for practices and strategies consistent with the goals to reduce greenhouse gas
36 emissions and increase carbon sequestration on natural and working lands.

37 (e) Funding for the communities for a sustainable climate program in any single fiscal
38 year shall be available, without the need for further appropriation, from sources including, but
39 not limited to: (1) the global warming solutions trust fund established in section 35GGG of
40 chapter 10 of the general laws; and (2) land management and restoration grant, loan and
41 incentive programs administered by the executive office of energy and environmental affairs.