

HOUSE No. 775

The Commonwealth of Massachusetts

PRESENTED BY:

Josh S. Cutler

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

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

An Act to protect coastal resources.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>1/6/2023</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/16/2023</i>

HOUSE No. 775

By Representative Cutler of Pembroke, a petition (accompanied by bill, House, No. 775) of Josh S. Cutler and Patrick Joseph Kearney for legislation to establish the Massachusetts coastal erosion innovation center and to protect coastal resources. Environment and Natural Resources.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 875 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act to protect coastal resources.

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

1 Preamble - Whereas, Massachusetts has approximately 192 miles of coastal shoreline,
2 which provides incalculable benefits to the economy, character and quality of life for residents
3 and visitors, and whereas changing climatological conditions and sea level rise directly threaten
4 public and private property, infrastructure and natural resources and critical habitats, and
5 whereas new and continuing threats demand innovative solutions, and whereas the possibility
6 exists to develop and deploy such solutions using natural resources and processes, the legislature
7 deems it necessary to enact the following legislation.

8 Section 1. There is hereby established the Massachusetts Coastal Erosion Innovation
9 Center, whose purpose shall be to develop, identify, research, advance and deploy innovative
10 means, methods, technologies and approaches for protecting and strengthening the resilience of

11 the state's coastal shoreline, including but not limited to beaches, marshes, dunes and public and
12 private property and infrastructure. The center shall be administered by the Executive Office of
13 Energy and Environmental Affairs, and shall consist of representatives of the Office of Coastal
14 Zone Management, the Department of Environmental Protection, the Department of
15 Conservation and Recreation, the Executive Office of Housing and Economic Development, and
16 the Executive Office of Administration and Finance, whom shall meet at intervals of not less
17 than 6 months for the purposes set forth in Section 3 , provided that such meetings shall be open
18 to public observation, provided further that the center may elect to receive written or oral
19 testimony with proper notice given.

20 Section 2. In carrying out the provisions of this act, the center shall be advised by an
21 advisory group appointed by the governor, comprised of 3 members representing municipal
22 officials, selected from a list submitted by the Massachusetts Municipal Association, 3 members
23 representing environmental advocacy organizations in the commonwealth, 3 members
24 representing owners of coastal property in the commonwealth, 3 members whom shall have
25 expertise in engineering, construction, or architecture, 1 member with expertise in coastal
26 geology, and 2 members representing the taxpayers of the commonwealth. Said advisory group
27 shall meet not less than every 3 months, and at the request of the Innovation Center, and shall be
28 chaired by the Secretary of Energy and Environmental Affairs. The center shall also, to the
29 greatest extent possible, consult and coordinate with the New England District of the United
30 States Army Corps of Engineers.

31 Section 3. The center shall identify, develop, and research, in consultation with one or
32 more institutions of higher learning or research in the commonwealth, innovative methods of
33 protecting coastal resources, with prioritization for natural approaches such as thin layer marsh

34 deposition, living shorelines, vegetation, eradication of invasive plant and shellfish species such
35 as green crab, and any other relevant methodology. The center shall produce an annual report of
36 its activities, which shall be filed with the clerks of the House and Senate , and posted
37 electronically for public inspection.

38 Section 4. The center is hereby authorized and directed to receive applications for, and
39 approve, applications for innovative pilot projects to protect coastal shorelines and/ or promote
40 their resiliency, which may not otherwise be eligible for permitting. permits for such projects
41 shall not exceed 20 in number in any given calendar year, and be for no longer than 3 years in
42 duration, provided, however , that a permit may be extended for not more than an additional 3
43 years. In reviewing and granting such permits, the center shall consider the potential impact of a
44 project, the size and scope of its potential benefits, its cost- effectiveness, and its consistency
45 with state and federal regulations. The center shall consider applications made by applicants
46 including but not limited to municipalities and regional groups of municipalities, non-profit
47 organizations and research institutions, private property owners and collaborations thereof, and
48 individuals. No application shall be approved unless it contains provisions for appropriate
49 engineering and design, monitoring, and any restoration work necessary at the expiration of the
50 resulting permit. Such permits shall be posted in a conspicuous location at the site of physical
51 activity they authorize, and shall be posted electronically so as to enable public inspection. The
52 department of environmental protection shall promulgate regulations to carry out the provisions
53 of this section, which shall exist coterminously with the existence of the center.

54 Section 5. The provisions of this act shall expire on December 31, 2031, unless otherwise
55 repealed, modified or extended.