

**HOUSE . . . . . No. 875**

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**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>2/19/2021</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>2/22/2021</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/23/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/24/2021</i>
<i>James M. Murphy</i>	<i>4th Norfolk</i>	<i>2/26/2021</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>2/26/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>2/26/2021</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>2/26/2021</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>2/26/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/26/2021</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>2/26/2021</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>	<i>2/26/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>3/19/2021</i>

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By Mr. Cutler of Pembroke, a petition (accompanied by bill, House, No. 875) of Josh S. Cutler and others for legislation to establish the Massachusetts coastal erosion innovation center and to protect coastal resources. Environment, Natural Resources and Agriculture.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

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.