



**An Act improving drinking water and wastewater infrastructure**

[Sponsors] move to amend the bill SECTION 1. To provide for certain unanticipated obligations of the commonwealth and to meet certain requirements of law for fiscal year 2014 the sums set forth in section 2A are hereby appropriated from the General Fund, for the several purposes and subject to the conditions specified in said section 2A, subject to laws regulating the disbursement of public funds.

SECTION 2A.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Department of Environmental Protection

2200-0135 For planning or technical assistance grants under section 31 of chapter 21 of the General Laws.....\$1,500,000

SECTION 3. Section 8B of chapter 21 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following definition:-

“Transfer to address stressed basins”, an interbasin transfer of water to a basin that is determined by the commission, after consultation with the department of environmental protection, to experience ecological stress from degraded stream flows from a basin that is determined by the commission not to be significantly and adversely affected by the transfer.

SECTION 4. Section 8C of said chapter 21, as so appearing, is hereby amended by adding the following 3 paragraphs:-

Transfers to address stressed basins shall be exempt from the approval requirements in section 8D; provided, that the municipality requesting the transfer has received a determination of public benefit from the department of environmental protection. In requesting a public benefit determination, a municipality requesting a transfer shall demonstrate to that department which sources in the receiving basin that it will discontinue upon receipt of the transfer. If such a request is not denied within 20 business days of the date the department receives the request, it shall be deemed approved.

Operators of sources in donor basins proposing to provide water to stressed basins may request a determination in advance from the commission as to the volume of withdrawals available without affecting stream flow in the donor basin. A determination by the commission of volume available from the donor basin will be effective for 3 years from date of issuance. Proposed transfers to stressed basins below the volume established by the commission shall be deemed not to have an impact on that basin.

The commission may promulgate regulations specifying the procedures to be followed in obtaining the exemption set forth in the previous 2 paragraphs.

SECTION 5. Section 26A of said chapter 21, as so appearing, is hereby amended by inserting after the definition of “FWPCA” the following definition:-

“Green infrastructure”, sustainability, restoration of sustainable habitats, environmentally innovative technologies and water management measures, energy and water efficiency and renewable energy that use the natural environment to mitigate the use of water and wastewater infrastructure; provided that, in cities and towns, green infrastructure practices may consist of site-specific practices, including but not limited to: decentralized wastewater infrastructure, rain gardens, bioswales, porous pavement at drinking water utility facilities, green roofs, water efficient appliances and landscaping, infiltration planters, trees and tree boxes, rainwater harvesting systems, and restoration of saltmarsh, oyster reefs and eelgrass beds; provided, further, that regionally, green infrastructure practices may consist of preservation and restoration of natural landscape features, including but not limited to: forests, floodplains, wetlands and water supply protected land, restoration of saltmarsh, oyster reefs and eelgrass beds, as well as onsite wastewater treatment and reuse, coupled with policies such as infill and redevelopment that reduces overall imperviousness in a watershed.

SECTION 6. Section 27A of said chapter 21, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words “water pollution abatement trust” and inserting in place thereof the following words:- Massachusetts Clean Water Trust.

SECTION 7. Said section 27A of said chapter 21, as so appearing, is hereby further amended by striking out, in lines 10 and 12, the words “or section 6A” each time they appear.

SECTION 8. Section 31 of said chapter 21, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- A public entity may apply to the division for a planning or a technical assistance grant by the commonwealth for the following purposes: assisting a public entity in developing a comprehensive water pollution abatement plan for the public entity; assisting a public entity in developing an integrated water asset management plan for the public entity; or assisting a public entity identify and plan for green infrastructure opportunities, as defined in section 26A, for the public entity.

SECTION 9. Said section 31 of said chapter 21, as so appearing, is hereby further amended by inserting after the word “Planning”, in line 12, the following words:- or technical assistance.

SECTION 10. Said chapter 21 is hereby further amended by inserting after section 31 the following section:-

Section 31A. Subject to appropriation, the department of environmental protection shall administer a matching grant program for communities who desire to join the Massachusetts

Water Resources Authority or any other regional system for wastewater, drinking water or for both wastewater and drinking water. Each grant shall match, on a 1:1 basis, money committed by a local government unit or a regional local governmental unit, as defined in section 1 of chapter 29C, to pay the entry fee established by the Massachusetts Water Resources Authority under section 8 of chapter 372 of the acts of 1984. The department shall award grants only to a local governmental unit or regional local governmental unit that satisfies the department that it has committed funds to join said Authority. Should the local governmental unit or regional local governmental unit fail to join said Authority after receiving a grant under this section, the local governmental unit or regional local governmental unit shall return money granted under this section to the department.

SECTION 11. Section 38 of said chapter 21, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word “control”, in line 4, the following words:- innovative water technologies, green infrastructure.

SECTION 12. Section 13 of chapter 21A of the General Laws, as so appearing, is hereby amended by inserting after the first paragraph, the following 3 paragraphs:-

In promulgating regulations regarding the enforcement of this section, including regulations requiring any forms utilized by septic system inspectors or local boards of health, the commissioner shall minimize the paperwork burden for individuals, small businesses, contractors, state and local governments and their agents and strive to ensure the greatest possible public benefit from and maximize the utility of information collected, created, maintained, used, shared and disseminated by or for the purpose of said code and to reduce the number of copies required for official use. The commissioner shall promulgate regulations establishing a reasonable fee, which may be charged by septic system inspectors and boards of health, for copies of inspection reports and other paperwork.

For the purposes of this section, the term “burden” shall mean the time, effort or financial resources expended by persons to generate, maintain or provide information to or for a governmental agency, including the resources expended for: reviewing instructions; acquiring, installing and utilizing technology and systems; adjusting the existing ways to comply with any previously applicable instructions and requirements; searching data sources; completing and reviewing the collection of information; and transmitting or otherwise disclosing the information.

For the purposes of this section, the term "information collected" shall mean requiring the disclosure to third parties or the public of facts or opinions by an agency or obtaining, causing to be obtained or soliciting facts or opinions for an agency, regardless of form or format; provided, that the facts or opinions constitute either: (i) answers to identical questions posed to, or identical reporting or recordkeeping requirements imposed on, ten or more persons, other than agencies, instrumentalities or employees of the commonwealth or its political subdivisions; or (ii) answers to questions posed to agencies, instrumentalities or employees of the commonwealth or its political subdivisions which are to be used for general statistical purposes.

SECTION 13. Section 2 of chapter 21G of the General Laws, as so appearing, is hereby amended by inserting after the definition of "Existing withdrawal" the following definition:-

"Irrigation system", any assemblage of components, materials or special equipment that is constructed and installed underground or on the surface for controlled dispersion of water from any safe and suitable source for the purpose of irrigating landscape vegetation or the control of dust and erosion on landscaped areas; including, integral pumping systems and required wiring within that system and connections to a public or private water supply system; provided, however, that an irrigation system shall not include plumbing, as defined in section 1 of chapter 142, or a plumbing system.

SECTION 14. Said chapter 21G is hereby further amended by adding the following 2 sections:-

Section 21. (a) There shall be a water leak classification standard in the commonwealth for all public water systems.

(b) All reported water leaks shall be graded using the following system:

(1) Grade 1. A leak that is hazardous or potentially hazardous to persons or property. A grade 1 leak requires repair and continuous action until the conditions are no longer hazardous. A public water system shall schedule repairs immediately and shall keep the grade 1 leak under continuous surveillance until the hazard or source of the leak is eliminated. A public water system shall immediately notify the fire department and chief law enforcement officer in each city or town where a grade 1 leak is identified.

(2) Grade 2. A leak that is non-hazardous to persons or property at the time of detection but justifies scheduled repair because of a potential future hazard. A public water system shall repair grade 2 leaks within 12 months from the date the grade 2 leak was detected. The frequency of reevaluation shall be determined by the location and magnitude of the leak, but shall be reevaluated by the public water system at least once every 6 months until eliminated.

(3) Grade 3. A leak that is non-hazardous at the time of detection and can be reasonably expected to remain non-hazardous. Grade 3 leaks shall be reevaluated during the next scheduled survey or within 15 months of the last evaluation date, whichever occurs first, until the grade 3 leak is eliminated or the main is replaced.

(c) Each public water system shall report annually to the department, as part of the annual statement of withdrawal, the following information: (i) the location of each grade 1, grade 2 and grade 3 leak that has been classified by the public water system; (ii) the date each grade 1, grade 2 and grade 3 leak was classified; and (iii) the date of repair performed on each grade 1, grade 2 and grade 3 leak.

(d) A public water system shall not downgrade a grade 1 or grade 2 leak unless the leak is repaired.

(e) The department shall make water leak information required by subsection (c)

available, upon request, to any municipal or state public safety official or any member of the General Court.

(f) The department shall promulgate regulations necessary to implement the uniform leak classification standards, as specified in this section, and shall continue to oversee and monitor public water systems' responses and reporting.

(g) Public water systems may establish procedures that exceed the minimum uniform procedures established by the department. The department shall file a report of the findings, not later than January 1, 2014, with the clerks of the house of representatives and the senate, who shall forward a copy of the report to the chairs of the joint committee on environment, natural resources and agriculture.

Section 22. (a) The department shall adopt, and may amend, regulations that require system interruption devices for newly installed or renovated irrigation systems to override and suspend the programmed operation of the irrigation system during periods of sufficient moisture. The department shall specify the criteria that devices are required to meet under this section. The regulations shall: (i) be in accordance with generally accepted standards of irrigation practice; (ii) include a requirement that all such devices be inspected at least every 3 years by an irrigation contractor certified and in good standing with a nationally recognized association; and (iii) require each irrigation contractor to complete and submit documentation, along with a minimal fee which shall reflect the costs of accepting and processing such documentation, to the municipality or the municipality's board of water commissioners for each newly installed or renovated irrigation system in that municipality. The department may impose reasonable fines for a violation of the regulations promulgated under this section.

(b) This section shall not apply to systems operating on golf courses or agricultural lands.

SECTION 15. Section 10 of chapter 23L of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following subsection:-

(c) This chapter shall not apply to section 39M of chapter 40.

SECTION 16. Chapter 29 of the General Laws is hereby amended by inserting after Section 2III, the following sections:-

Section 2JJJJ. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Regional Water Entity Reimbursement Fund, herein called the Fund. The fund shall be administered by the department of revenue and shall be funded by the commonwealth, by and through the state treasurer and subject to appropriation, to reimburse the Massachusetts Water Resources Authority for its costs in providing cities and towns, within its sewer service area, financial assistance in the form of interest free grants and loans to rehabilitate their collection systems, to structurally reduce infiltration and inflow that is the tributary to the treatment facilities owned by the authority and located on Deer Island and Nut Island. Such reimbursement shall be in addition to the contract assistance amounts in section 6 of chapter

29C, subject to the limit set forth in that chapter, but shall not be greater than 10 per cent of the maximum amount set forth in that chapter.

SECTION 17. Section 11(i) of chapter 25A of the General Laws, as so appearing, is hereby amended by striking out subsection (j) and inserting in place thereof the following subsection:-

(j) Payments under a contract for energy management services may be based in whole or in part on any cost savings attributable to a reduction in energy and water consumption, or any improved system accuracy, due to the contractor's performance or revenues gained as a result of the contractor's services which are aimed at energy and water cost savings, to metering or related equipment, or to energy or water conservation-related improvements or equipment.

SECTION 18. Section 2L of chapter 29 of the General Laws, as so appearing, is hereby amended by striking out, in line 5, the words "water pollution abatement trust" and inserting in place thereof the words:- Massachusetts Clean Water Trust.

SECTION 19. Section 2QQ of said chapter 29, as so appearing, is hereby amended by striking out, in line 5, the words "water pollution abatement trust" and inserting in place thereof the words:- Massachusetts Clean Water Trust.

SECTION 20. Chapter 29C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the title and inserting in place thereof the following title:- MASSACHUSETTS CLEAN WATER TRUST.

SECTION 21. Section 1 of said chapter 29C, as so appearing, is hereby amended by striking out, in line 3, the words "water pollution abatement trust", each time they appear, and inserting in place thereof the following words:- Massachusetts Clean Water Trust.

SECTION 22. Said section 1 of said chapter 29C, as so appearing, is hereby further amended by inserting after the definition of "Bonds" the following definition:-

"Committed contract assistance", in any year, the sum of (i) the amount of contract assistance that the commonwealth has committed to provide in such year with respect to bonds of the trust issued, subsidy funds established, and all other board-approved financial assistance established or committed prior to such year; and (ii) the amount of contract assistance that the board determines will be required to be so committed in such year to provide a subsidy or other financial assistance, including without limitation with respect to bonds of the trust expected to be issued in such year.

SECTION 23. Said section 1 of said chapter 29C of the General Laws, as so appearing, is hereby further amended by striking out the definition of "Trust" and inserting in place thereof the following definition:-

"Trust", the Massachusetts Clean Water Trust; provided, however, that the Massachusetts Clean Water Trust shall be the successor to the water pollution abatement trust.

SECTION 24. Section 2 of said chapter 29C, as so appearing, is hereby amended by striking out, in lines 5 and 6, the words “water pollution abatement trust” and inserting in place thereof the following words:- Massachusetts Clean Water Trust.

SECTION 25. Said chapter 29C is hereby amended by striking out section 6, as so appearing, and inserting in place thereof the following section:-

Section 6. (1) Subject to limitations in other laws respecting the use of particular monies in the fund and any trust agreement for bonds of the trust, the board may also apply and disburse monies and revenues in the fund or segregated accounts therein: (i) after taking account of any grant made by the department under section 33E of chapter 21, to provide, and enter into binding commitments to provide, a subsidy for, or to otherwise assist local governmental units in the payment of, debt service costs on loans and other forms of financial assistance made by the trust; and (ii) to provide reserves for, or to otherwise secure, amounts payable by local governmental units on loans and other forms of financial assistance made by the trust under this chapter.

(2) The board shall apply and disburse monies in the fund and in the Drinking Water Revolving Fund, established under section 18, as applicable, including contract assistance provided in this section, or shall otherwise structure the debt service costs on loans and other forms of financial assistance made by the trust to provide a subsidy or other assistance to local governmental units or other eligible borrowers in the payment of debt service costs on such loans and other forms of financial assistance that shall be the financial equivalent of a loan made at an interest rate equal to 2 per cent. Notwithstanding the foregoing, but subject to the limit on contract assistance provided in this section and the availability thereof after taking into account committed contract assistance, the board may commit such available contract assistance to provide additional financial assistance to local governmental units or other eligible borrowers that shall be the financial equivalent of a loan made at an interest rate less than 2 per cent and which additional subsidy may include principal forgiveness; provided that principal forgiveness committed under this section in any year shall not exceed 25 per cent of the total costs of all projects on that year’s applicable clean water or drinking water intended use plan; and provided further that a loan or other form of financial assistance that qualifies for an additional subsidy shall receive such additional subsidy in the amount and at a rate as determined by the board, which shall not exceed the financial equivalent of a 75 per cent subsidy as compared to a market rate loan as calculated at the time of board approval of such loan or other form of financial assistance.

(3) The department of environmental protection shall promulgate regulations under section 7 of this chapter establishing criteria that the department shall use to evaluate applications for additional subsidies equivalent to a loan made at an interest rate of less than 2 per cent. The criteria shall be reflective of the board’s current priorities and of best management practices. Notwithstanding the foregoing regulations, all permanent loans and other forms of financial assistance made by the trust, which finance the costs of certain water pollution abatement projects on the department’s intended use plan for calendar year 2009 to calendar year 2069, inclusive, and meet the criteria listed below, shall provide for an additional subsidy or other assistance in the payment of debt service such that the loans and other forms of financial

assistance shall be the financial equivalent of a loan made at a 0 per cent rate of interest; provided, that the costs of water pollution abatement projects on an intended use plan that are eligible for a permanent loan or other financial assistance from the trust at the financial equivalent of a loan made at a 0 per cent rate of interest shall not exceed 35 per cent of the total costs of all water pollution abatement projects on the intended use plan.

(4) Projects shall be eligible for 0 percent rate of interest loans if the department verifies that:

(i) the project is primarily intended to remediate or prevent nutrient enrichment of a surface water body or a source of water supply;

(ii) the applicant is not currently, due to a violation of a nutrient-related total maximum daily load standard or other nutrient based standard, subject to a department enforcement order, administrative consent order or unilateral administrative order, enforcement action by the United States Environmental Protection Agency or subject to a state or federal court order relative to the proposed project;

(iii) the applicant has a Comprehensive Wastewater Management Plan (“CWMP”) approved under regulations adopted by the department;

(iv) the project has been deemed consistent with the regional water resources management plans, including, but not limited to, a current area-wide water resources management plan adopted under section 208 of the federal Clean Water Act, if such a plan exists; and

(v) the applicant has adopted land use controls, subject to the review and approval of the department in consultation with the executive office of housing and economic development and, where applicable, any regional land use regulatory entity, intended to limit wastewater flows to the amount authorized under zoning and wastewater regulations as of the date of the approval of the CWMP.

(5) The department of environmental protection shall promulgate regulations under section 7 of this chapter establishing criteria that the department shall use to evaluate applications for additional financial assistance, including principal forgiveness. Such criteria shall include, but not be limited to, the following requirements, any 1 of which shall be sufficient to qualify the project for assistance: (i) the project is pursuant to a regional wastewater management plan that has been adopted by a regional planning agency with regulatory authority; (ii) the project is necessary to connect a local or regional local governmental unit to a facility of the Massachusetts Water Resources Authority, if the local or regional local governmental unit has paid or committed to pay the entry fee of that authority; (iii) the project is a green infrastructure project, as defined in section 26A of chapter 21, or a combination project that includes green infrastructure and waste water infrastructure; (iv) the project uses regional water resources to offset, by at least 100 per cent, the impact of water withdrawals on local water resources in the watershed basin of the receiving community; (v) the project is a direct result of a disaster affecting the service area that is the subject of a declaration of emergency by the



governor; or (vi) the program is an innovative water project utilizing new technology that improves environmental or treatment quality, reduces cost, increases access and availability of water, conserves water or energy, or improves management, in the areas of drinking water, waste water, storm water, ground water, or coastal resources; provided, such project has not been fully implemented, other than as a pilot project, previously in the commonwealth.

(6) To provide for such subsidy or assistance, the state treasurer acting on behalf of the commonwealth shall enter into an agreement with the trust. Under the agreement, the commonwealth shall provide contract assistance for debt service obligations on loans and other forms of financial assistance made by the trust, up to a maximum amount of \$138,000,000 per fiscal year. The agreement shall provide for payments by the commonwealth to the trust at such times during each fiscal year and upon such terms and under such conditions as the trust may stipulate. The trust may pledge such agreement and the rights of the trust to receive amounts thereunder as security for payment of debt obligations issued to the trust. Such agreement shall constitute a general obligation of the commonwealth, for which the faith and credit of the commonwealth shall be pledged for the benefit of the trust and of the holders of any debt obligations of the trust which may be secured by the pledge of such agreement or of amounts to be received by the trust under such agreement.

(7) Each year, the trust shall commit contract assistance for debt service obligations on loans and other forms of financial assistance made by the trust in an amount that is at least 80 per cent of the limit set forth in paragraph (6). If, in any year, the trust is unable to satisfy the 80 per cent threshold, the trust shall file a written report with the office of the state treasurer, the department, the chairs of the house and senate committees on ways and means, and the house and senate chairs of the joint committee on the environment, natural resources and agriculture, not later than January 1 of that fiscal year, explaining the reasons why the 80 per cent threshold was not satisfied in that year.

(8) With respect to projects appearing on the department's intended use plan for calendar year 2016 and subsequent years, (i) the board shall not commit contract assistance to provide for the additional subsidy or other form of financial assistance referred to in paragraphs (3), (4), or (5) of this section to any local governmental unit unless it has established a sewer enterprise fund or water enterprise fund, as applicable, under section 53F1/2 of chapter 44, or in lieu of the applicable enterprise fund has established a separate restricted account that is the equivalent of such fund; and (ii) any local government unit that transfers or otherwise uses money from its enterprise fund or restricted account for its local governmental operating budget, other than to pay or reimburse, valid expenses or obligations related to such fund or restricted account, will not be eligible to seek new commitments of contract assistance to provide for the additional subsidy or other form of financial assistance referred to in paragraphs (3), (4), or (5) of this section for a period of 5 years following the date of such transfer or other use; provided however, the disqualifying event occurred after January 1, 2015.

SECTION 26. Section 6A of said chapter 29C is hereby repealed.

SECTION 27. Section 18 of said chapter 29C, as appearing in the 2012 Official Edition, is hereby amended by striking out subsection (g).

SECTION 28. Chapter 40 of the General Laws is hereby amended by inserting after section 39L the following section:-

Section 39M. (a) Notwithstanding any general or special law to the contrary, a city, town, water district, wastewater district, stormwater utility or statutory authority created to operate a water distribution or wastewater collection system or stormwater system which accepts this section may collect a reasonable fee to be used exclusively for measures to remedy and offset the impacts on the natural environment of new or increased water withdrawals, sewerage, wastewater discharges, including those from onsite disposal systems, stormwater discharges or impairment of recharge of groundwater through depletion of ground or surface waters and to sustain the quantity, quality and ecological health of waters of the commonwealth. Such measures to remedy and offset these impacts include, without limitation, local recharge of stormwater and wastewater; redundant water sources; reductions in loss from drinking water systems; treatment of drinking water or interconnections with other systems for the purposes of optimizing water supply sources for environmental benefit; expansion of stormwater treatment and wastewater treatment systems; reuse of water; removal of sewer infiltration and inflow; water conservation; retrofits of existing buildings and parking lots with low impact development methods; removal of dams; improvements to aquatic habitat; the pumping, repair, maintenance and replacement of onsite subsurface disposal systems installed pursuant to Title V of the State Environmental Code as well as systems considered to be cesspools; development of integrated water resources management plans, studies and planning to mitigate environmental impacts; and land acquisition for the protection of public water supply sources, siting of decentralized wastewater facilities, stormwater recharge sites or riparian habitat. The fee, which may be based on retaining within the basin or saving at least 1 gallon, but no more than 10 gallons, for every gallon of increased water or sewer demand or net impairment of recharge shall be assessed in a fair and equitable manner and separate fees may be established for different types of uses, such as residential and commercial uses. Any fees charged to mitigate the impact of onsite disposal systems may be based on the expected cost to pump, maintain and replace such systems as determined by the governmental unit assessing the fee.

(b) When adopting this section, the city, town, district or statutory authority shall designate the board, commission or official responsible for assessing, collecting and expending the fee. Fees assessed under this section shall be deposited by the designated board, commission or official in separate accounts, established under section 53F1/2 of chapter 44, and classified as "Sustainable Water Resource Funds" for drinking water, wastewater or stormwater. The principal and interest thereon shall be expended at the direction of the designated board, commission or official without further appropriation. These funds shall not be used for any purpose not provided in this section. These funds may also receive monies from public and private sources as gifts, grants and donations to further water conservation, water return or water loss prevention; from the federal government as reimbursements, grants-in-aid or other receipts on account of water infrastructure improvements; or fines, penalties or supplemental environmental projects. Any interest earned from whatever source shall be credited to and become part of the fund.

(c) A city, town, district or authority that has accepted this section may in the same

manner revoke its acceptance. Monies remaining in the fund shall be expended in a manner consistent with this section.

SECTION 29. Chapter 44 of the General Laws is hereby amended by adding the following section:-

Section 73. Any design and construction services included in a public-private partnership development agreement seeking assistance under chapter 29C shall receive input from the public-private partnership infrastructure oversight commission, established in section 73 of chapter 6C, on all requests for proposals for design-build-finance-operate-maintain or design-build-operate-maintain services.

SECTION 30. Sections 26 and 27 of chapter 203 of the acts of 1992 are hereby repealed.

SECTION 31. Section 420 of chapter 194 of the acts of 1998 is hereby amended by striking out, in line 2, the words “water pollution abatement trust” and inserting in place thereof the words:- Massachusetts Clean Water Trust.

SECTION 32. Said section 420 of said chapter 194 is hereby further amended by striking out, in line 11, the words “or section 6A”.

SECTION 33. Said section 420 of said chapter 194 is hereby further amended by striking out, in lines 13 to 16, inclusive, the words “or said section 6A; provided, however, that the total amount of contract assistance paid by the commonwealth over the life of such loan shall not exceed the amount of contract assistance that would have been paid if such loan had been made for a 20-year period”.

SECTION 34. Section 32 of chapter 312 of the acts of 2008 is hereby amended by striking out, in line 7, the words “or section 6A”.

SECTION 35. The department of environmental protection, in consultation with the Massachusetts Clean Water Trust established in chapter 29C, may develop and administer a matching grant program for the purpose of assisting local and regional governmental units with projects eligible for assistance under section 6 of Chapter 29C.

SECTION 36. The comptroller shall transfer \$250,000 from the General Fund to the Department of Conservation and Recreation to assist with water and other operational costs at the Blue Hills Ski Area.

SECTION 37. Notwithstanding any general or special law to the contrary, not later than 1 year from the passage of this act, the board of the Massachusetts Clean Water Trust established in chapter 29C, in consultation with the division of local services within the department of revenue, established in section 1 of chapter 14 of the General Laws, shall establish and publish guidelines for best management practices in water management. These guidelines shall include, but not be limited to, the practice of full cost pricing, including which direct and indirect costs shall be included in full cost pricing, sound financial management, the use and protection of

enterprise funds, the coordination of intra-municipal and inter-municipal projects involving inter-related infrastructure to reduce project costs, the adoption of an asset management plan and a plan for leak mitigation. The demonstration of adoption of these best management practices shall be considered favorably in decisions about wastewater and drinking water project funding made under that chapter.

SECTION 38. Notwithstanding any general or special law to the contrary, nothing in this act is intended to, or shall be construed to, affect in any way the existing commitments of contract assistance or other amounts heretofore provided by the Water Pollution Abatement Trust under general or special law. All agreements and obligations heretofore made under sections 6 or 6A, subsection (g) of section 18 or any other provision of chapter 29C of the General Laws, sections 26 and 27 of chapter 203 of the acts of 1992, section 420 of chapter 194 of the acts of 1998 or any other general or special law shall remain in full force and effect under their terms.

SECTION 40. Except as otherwise provided, this act shall take effect upon its passage.