

'The people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources is hereby declared to be a public purpose'. - Article 97 of the Massachusetts Constitution

Public Lands Preservation Act

S459 & H732

Lead Sponsors: *Senator James B. Eldridge (Acton) and Representative Ruth B. Balser (Newton)*

In 1972, Massachusetts voters approved Article 97 of the state constitution to provide greater protection for public parks, conservation areas, forests and watershed lands.

Disposing of or changing the use of such municipal or state land requires a favorable two-thirds vote of each branch of the legislature.

The Public Lands Protection Act (PLPA) would codify current state policy that there be no net loss of lands or easements protected under Article 97, while also establishing a transparent and timely process for the transfer or change in use of state and municipal Article 97 land. The bill would ensure that the integrity of Article 97 is upheld and provide clear cost- and time- effective guidelines for municipalities to follow when submitting proposed Article 97 dispositions to the Executive Office of Energy and Environmental Affairs (EOEEA) for review.

The PLPA would:

- Require that replacement land of comparable acreage, location and natural resource value be provided for each Article 97 disposition
- Require prior notification to EOEEA
- Increase transparency and efficiency in decision making process by EOEEA
- Establish waiver exemption from replacement land requirement in specific circumstances
- Provide clarity, increase efficiency, and reduce costs for municipalities and state agencies seeking disposition of Article 97 land
- Establish a requirement for EOEEA to make recommendations to the legislature on specific dispositions, to better inform legislative action

Benefits

Public land provides the Commonwealth with many benefits, including protecting drinking water supplies, providing clean air, supporting agriculture, forestry, recreation and tourism, sequestering carbon, and buffering against flooding as storms become more violent due to climate change. Preserving these lands becomes a priority as the Commonwealth works to prevent and adapt to global warming. Article 97 lands were acquired and protected using taxpayer dollars or donor contributions, and this bill will ensure that Article 97 dispositions don't undermine this protection.

Supporting Organizations

Over 100 public and private organizations support the PLPA, including Environmental League of Massachusetts, Massachusetts Association of Conservation Commissions, Mass Audubon, Massachusetts Chapter of the Sierra Club, The Nature Conservancy in Massachusetts, The Trustees, and many more (see over).

March 8, 2019

PUBLIC LANDS PRESERVATION ACT SUPPORTERS

Private

Appalachian Mountain Club
Arborway Coalition
Association to Preserve Cape Cod
Barnstable Land Trust
Berkshire Environmental Action Team
Berkshire Natural Resources Council
Boston Climate Action Network
Brookline GreenSpace Alliance
Charles River Conservancy
Charles River Watershed Association
Clean Water Action
Connecticut River Conservancy
Conservation Law Foundation
East Quabbin Land Trust
Emerald Necklace Conservancy
Environment Massachusetts
Environmental League of Massachusetts
Essex County Greenbelt Association
Essex County Trail Association
Franklin Land Trust
Friends of Harold Parker State Park
Friends of Peru State Forest
Friends of Robinson State Park
Friends of the Blue Hills
Friends of the Burlington Landlocked Forrest
Friends of the Middlesex Fells Reservation
Gateways Farm
Green Berkshires
Gun Owner's Action League
Housatonic River Initiative
Jones River Watershed Association
Lincoln Land Conservation Trust
Mass Audubon
Massachusetts Association of Conservation Commissions
Massachusetts Land Trust Coalition
Massachusetts League of Environmental Voters
Massachusetts Rivers Alliance
Massachusetts Society of Municipal Conservation Professionals
Merrimack River Watershed Council
Mount Grace Land Conservation Trust
Nashua River Watershed Association
New England Forestry Foundation
New England Wild Flower Society
Newton Conservators
North County Land Trust
North Quabbin Regional Landscape Partnership
Richmond Land Trust
Sheffield Land Trust
Sierra Club Massachusetts Chapter
Soule Homestead Education Center
Southeastern Massachusetts Pine Barrens Alliance
Southwest Corridor Park Management Advisory Committee
Sudbury Valley Trustees
Taunton River Watershed Alliance, Inc.
The Esplanade Association
The Kestrel Trust
The Nature Conservancy
The Trust for Public Land
The Trustees of Reservations
Wachusett Greenways
Waltham Land Trust
Whately Land Preservation
White Oak Land Conservation Society

Public

Andover Conservation Commission
Arlington Conservation Commission
Ashland Conservation Commission
Berlin Conservation Commission
Beverly Conservation Commission
Boxford Conservation Commission
Brewster Conservation Commission
Brookline Conservation Commission
Burlington Conservation Commission
Carlisle Conservation Commission
Carver Conservation Commission
Chicopee Conservation Commission
Concord Natural Resources Commission
Conway Conservation Commission
Danvers Conservation Commission
Douglas Conservation Commission
Dudley Conservation Commission
Essex Conservation Commission
Foxborough Conservation Commission
Franklin Conservation Commission
Gloucester Conservation Commission
Hadley Conservation Commission
Harvard Conservation Commission
Hingham Conservation Commission
Holden Conservation Commission
Holliston Conservation Commission
Hopkinton Conservation Commission
Huntington Conservation Commission
Ipswich Conservation Commission
Kingston Conservation Commission
Lawrence Conservation Commission
Lee Conservation Commission
Leverett Conservation Commission
Lincoln Conservation Commission
Longmeadow Conservation Commission
Medfield Conservation Commission
Mendon Conservation Commission
Metropolitan Area Planning Council
Norfolk Conservation Commission
North Andover Conservation Commission
Norton Conservation Commission
Norwell Conservation Commission
Palmer Conservation Commission
Peabody Conservation Commission
Pepperell Conservation Commission
Plymouth Conservation Commission
Provincetown Conservation Commission
Rehoboth Conservation Commission
Rockport Conservation Commission
Rowley Conservation Commission
Saugus Conservation Commission
Sherborn Conservation Commission
Somerville Conservation Commission
Southwick Conservation Commission
Stoneham Conservation Commission
Stow Conservation Commission
Templeton Conservation Commission
Topsfield Conservation Commission
Wendell Conservation Commission
Wenham Conservation Commission
West Brookfield Conservation Commission
Weston Conservation Commission
Weston Planning Board
Winthrop Conservation Commission
Wrentham Conservation Commission