



2009-2010 STATE CONSERVATION LEGISLATIVE PRIORITIES

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Stewardship through Public Investments in the Commonwealth

Ensure spending cap in annual capital budget for:

- *Land conservation*: Ensure that a minimum of \$50 million per year is spent on state land protection programs. Bond-funded programs include Parkland Acquisitions and Renovations for Communities (PARC) and Local Acquisitions for Natural Diversity (LAND) grants, Agricultural Preservation Restrictions (APR), Urban and State Parks and Forests, MassWildlife (including Wildlife Management Areas as well as Natural Heritage & Endangered Species Program acquisitions), & Watershed Protection.
- *Aquatic habitat protection*: Ensure that there is a significant investment in wetlands and riverine system restoration.

Increase appropriations in annual operating budget for:

- *Division of Fisheries & Wildlife's Natural Heritage & Endangered Species Program*: Gathers, manages, and distributes information about the Commonwealth's rare and threatened plant and animal species and their habitats, as well as protects rare species through the implementation of the Massachusetts Endangered Species Act.
- *Department of Fish & Game's Riverways Program*: Builds local partnerships to restore rivers, streams, and riparian corridors.
- *Executive Office of Energy and Environmental Affairs' Office of Geographic Information Systems*: Generates and manages over 1,000 digital layers of demographic, geographic, and land use information to guide strategic conservation planning.
- *Department of Environmental Protection*: Ensure adequate funding to implement the *Wetlands Protection Program*, which provides direct outreach and technical assistance to local conservation commissions to protect Massachusetts' inland and coastal wetlands, tidelands, great ponds, rivers and floodplains.
- *Department of Conservation & Recreation*: Manages nearly 500,000 acres of protected lands, including state forests, urban parks, and public watersheds that attract over 35 million visitors annually.
- *Mass Audubon/Department of Conservation & Recreation's Blue Hills Trailside Museum*: Since 1974, Mass Audubon has managed the publicly owned Trailside Museum as the gateway to the Department of Conservation and Recreation's Blue Hills State Reservation.

Stewardship of the Land and Water through Zoning Reform, updates to the Community Preservation Act, Riverine Habitat Protection through better Water Management, and Stronger Oversight of Off-Highway Vehicles

- *An Act to Sustain Community Preservation (Senator C. Creem, Representative S. Kulik)*: Amendments to M.G.L. chapter 44B that allow for capital improvements to existing open space, housing, parks and recreational facilities not purchased with CPA funds; create a new CPA exemption for non-residential uses; allow the use of up to 3% of CPA funds annually to pay for a city or town's CPA – related administrative expenses; allow cities and towns to delegate ownership of real property interests (land or buildings) acquired with CPA funds to town boards and commissions, certain non profit organizations, or in the case of housing, housing authorities, community development corporations, regional housing non-profits and other special purpose housing entities; create incentives for city adoption.
- *An Act Relative to Sustainable Water Resources (Senator J. Eldridge, Representative F. Smizik)*: Amends Water Management Act to ensure adequate water flow and water levels for community water suppliers and fish and other species as developed by the Department of Fish and Game; authorizes water suppliers to implement "waterbanking" under which they could charge a small fee to residents and businesses for any new water withdrawal capacity to offset and remedy ecological impacts of water withdrawals, such as: land acquisition for wellhead protection, local recharge of storm/waste water, reuse of water, retrofitting existing development with low impact development methods or water saving devices; and, augments the options offered to dam owners by the Office of Dam Safety within the Department of Conservation and Recreation (DCR) to include dam removal. DCR's existing authority currently only extends to repair of failing dams.
- *An Act to Protect the Natural and Historic Resources of the Commonwealth (Senator J. Eldridge, Representative R. Balsler)*: Establishes statutory framework to ensure no-net loss of conservation land through dispositions under Article 97 of the Amendments to the Constitution.
- *An Act Relative to Land Use Partnership (Senator H. Chandler, Representative K. Honan)*: Makes major structural changes to the enabling laws (M.G.L. chapters 40A and 41) governing local zoning and subdivision review to improve communities' ability to guide development by reforming loopholes, including approval not required measures, and grandfathering provisions, and by requiring consistency between local zoning and master planning efforts.
- *An Act Relative to the Regulation of Snow and Recreation Vehicles (Representative F. Smizik)*: Increases penalties for illegal off-road and all terrain vehicle riding and violations on municipal and state conservation lands; dedicates penalties and registration fees towards education, enforcement, and development of designated trails.