

# Open Space Lands Fight Climate Change

## Protect public open spaces with the *Public Lands Preservation Act*

Sponsor: Representative Ruth B. Balser (Newton)

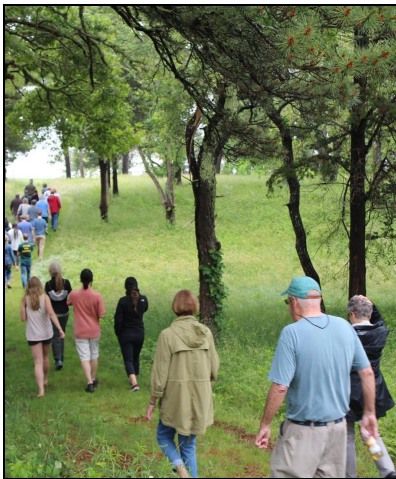
In 1972, Massachusetts voters approved Article 97 of the state constitution to provide greater protection for open space lands such as parks, conservation areas, forests and watershed lands. Disposing of or changing the use of such municipal or state land requires a favorable two-thirds vote of each branch of the legislature.

The Public Lands Preservation Act (PLPA) would ensure for any dispositions of open space land covered by Article 97 :

- ❖ **No Net Loss**
  - PLPA would give the protection of law to the current state policy that there be *no net loss* of lands or easements protected under Article 97.
  - Require that replacement land of comparable acreage and natural resource value be provided for each disposition.
- ❖ **Alternative Analysis**
  - PLPA would codify the existing requirement that alternatives to a proposed disposition be examined.
- ❖ **Transparency**
  - PLPA would require prior notification to the public and the Executive Office of Energy and Environmental Affairs (EOEEA).



See third page for text of bill.



### Benefits of Preserving Public Land

- ❖ Reduce climate change by storing CO2 in trees and soil<sup>1</sup>
- ❖ Assist with climate change adaptation by acting as a buffer against floods and other natural disasters<sup>2</sup>
- ❖ Provide clean air
- ❖ Protect drinking water supplies
- ❖ Support agriculture, forestry, wildlife biodiversity and habitat, recreation, and tourism
- ❖ Promote physical and mental health as people get outside and into nature
- ❖ Provide in this time of COVID shutdown places for people to get outdoors and find recreation.

See next page for a list of over 150 environmental organizations, municipal officials and elected boards, conservation commissions, and land trusts that support the PLPA, including the Appalachian Mountain Club, Environmental League of Massachusetts, Massachusetts Association of

<sup>1</sup> According to ecological research at Cornell University, a 50-year old oak forest would absorb about 30,000 pounds of carbon dioxide per acre, over the course of a year. Ray, C. Claiborne. "Tree Power." *The New York Times*, The New York Times, 3 Dec. 2012.

<sup>2</sup> According to USGS, "In undeveloped areas such as forests and grasslands, rainfall and snowmelt collect and are stored on vegetation, in the soil column, or in surface depressions. In contrast, urban areas, where much of the land surface is covered by roads and buildings, have less capacity to store rainfall and snowmelt." Usgs. "Effects of Urban Development on Floods." *Effects of Urban Development on Floods*, 2016.

**Conservation Commissions, Mass Audubon, Massachusetts Chapter of the Sierra Club, The Nature Conservancy in Massachusetts, and The Trustees.**

## Supporting Organizations

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Appalachian Mountain Club • Arborway Coalition • Association to Preserve Cape Cod • 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 • Emerald Necklace Conservancy • Environment Massachusetts • Environmental League of Massachusetts • Essex County Greenbelt Association • Essex County Trail Association • 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 Forest • Friends of the Middlesex Fells Reservation • Friends of the Public Garden • Gateways Farm • Green Berkshires • Gun Owners' Action League • Housatonic River Initiative • Jones River Watershed Association • Mass Audubon • Massachusetts Association of Conservation Commissions • Massachusetts Conservation Voters • Massachusetts Rivers Alliance • Massachusetts Rivers Alliance • Massachusetts Society of Municipal Conservation Professionals • Merrimack River Watershed Council • Metropolitan Area Planning Council • Nashua River Watershed Association • Native Plant Trust • New England Forestry Foundation • North Quabbin Regional Landscape Partnership • Sierra Club Massachusetts Chapter • Soule Homestead Education Center • Southeastern Massachusetts Pine Barrens Alliance • Southwest Corridor Park Management Advisory Committee • Sustainability Committee of Weston • Taunton River Watershed Alliance, Inc. • The Compact of Cape Cod Conservation Trusts, Inc. • The Esplanade Association • The Nature Conservancy • Wellington Farm

## Supporting Municipal Officials and Elected Boards

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Gerly Adrien (Everett City Councilor) • Caroline Bays (Watertown City Councilor) • Zac Bears (Medford City Councilor) • Dennis Carlone (Cambridge City Councilor) • Victoria Danberg (Newton City Councilor) • Caren Dunn (Waltham City Councilor) • Lisa Feltner (Watertown City Councilor) • Mark Forest (Yarmouth Selectman) • Paul Heroux (Attleboro Mayor) • Bill Humphrey (Newton City Councilor) • Alex Jarrett (Northampton City Councilor) • Brian LaPierre (Lynn City Councilor) • Alison Leary (Newton City Councilor) • Nicole Morell (Medford City Councilor) • Emily Norton (Newton City Councilor) • Anne O'Connor (Williamstown Select Board Member) • Ryan O'Malley (Malden City Councilor) • Orlando Pacheco (Lancaster Town Administrator) • Anthony Palomba (Watertown City Councilor) • Samantha Perlman (Marlborough City Councilor) • Jivan Sobrinho-Wheeler (Cambridge City Councilor) • Adam Steiner (Framingham City Councilor) • Cesar Stewart-Morales (Framingham City Councilor) • Thomas Sullivan (Haverhill City Councilor) • Laura Wagner (Marlborough City Councilor) • Wellesley Natural Resources Commission • Weston Planning Board • Weston Select Board • Bill White (Somerville City Councilor) • Winchester Select Board

## Supporting Conservation Commissions

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

## Supporting Land Trusts

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Barnstable Land Trust • East Quabbin Land Trust • Franklin Land Trust • The Kestrel Trust • Lincoln Land Conservation Trust • Massachusetts Land Trust Coalition • Mount Grace Land Conservation Trust • Newton Conservators • North County Land Trust • Richmond Land Trust • Sheffield Land Trust • Sudbury Valley Trustees • The Trustees of Reservations • The Trust for Public Land • Wachusett Greenways • Waltham Land Trust • White Oak Land Conservation Society

## An Act Combating Climate Change by Preserving Open Space

SECTION 1. The General Laws are hereby amended by inserting after chapter 131A, the following chapter:-

### CHAPTER 131B

#### PUBLIC LANDS PRESERVATION ACT.

The commonwealth and its governmental entities, including but not limited to municipalities, in order to use for other purposes or otherwise dispose of land or easements taken or acquired pursuant to Article 97 of the Articles of Amendments to the Constitution or designated in perpetuity for the Article's purposes shall (1) prior to the filing of legislation petitioning for such change in use or disposition, perform an alternatives analysis and notify the public and the secretary of energy and environment ("secretary") and (2) provide replacement land, not already so taken, acquired or dedicated, of equal or greater acreage and natural resource value as determined by the secretary, which replacement land shall then be dedicated in perpetuity for the same natural resource purposes. The secretary upon request may waive the replacement land requirement, if the disposition involves only transfer of legal control between public entities.

SECTION 2. The secretary shall within one year of passage of this act promulgate regulations to implement SECTION 1.

For further information contact Jacob Stern, Deputy Executive Director, Mass. Chapter of the Sierra Club, [jacob.stern@sierraclub.org](mailto:jacob.stern@sierraclub.org).

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