

M | MASSACHUSETTS CONSERVATION VOTERS

April 23, 2019

The Honorable Anne M. Gobi, Senate Chair
The Honorable William "Smitty" Pignatelli, House Chair
Joint Committee on Environment Natural Resources
and Agriculture
State House
24 Beacon Street, Room 243
Boston, MA 02133

RE: S-459 and H-732

Dear Chairwoman Gobi, Chairman Pignattelli and Committee Members,

Thank you for the opportunity to submit testimony on An Act Protecting the Natural Resources of the Commonwealth, also known as the Public Lands Preservation Act (PLPA). As you know, the PLPA would codify the no net loss policy currently overseen within the Executive Office of Energy and Environmental Affairs (EOEEA) and set up a public process for taking Article 97 land out of protection.

Massachusetts Conservation Voters (MCV), a statewide non-partisan, non-profit conservation advocacy group, wishes to be recorded in favor of the PLPA. In our view, nothing demonstrates the need to pass this bill this session than the attempt during the last session to convert 85 acres of the Leominster State Forest into an expansion to the Fitchburg-Westminster Landfill via An Act Authorizing the Town of Westminster to Acquire State Forest Land (H-4677).

Fortunately, MCV and other environmental groups learned of the late-filed H-4677 (May 21, 2018) when it was being considered by House Ways & Means, so there was still time to object to its passage. Many people who live in the area, who have long standing issues about the way this landfill is being run on a day to day basis, only found out about the proposed expansion via an MCV op-ed piece which appeared in the Worcester Telegram and Gazette on Dec. 14, 2018.

Had the PLPA been in effect, there would have been a public process prior to any legislation ever being filed. This process would have included identifying and evaluating the compensatory land being offered in exchange for taking 85 acres of state forest. Section 3(a) of the bill states,

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“The secretary shall adopt regulations requiring notification by a public owner be made as early as practicable, and prior to the filing of a petition with the general court to authorize the proposed Article 97 land disposition or change in use, to allow the secretary adequate time to review the proposal.”

While H-4677, to our knowledge, has not been refiled, we believe it will be at some point. It is worth noting that no one in the City of Fitchburg, the town of Westminster, or at Waste Management, has yet publicly identified the location of the compensatory land that was being offered in exchange for the forest land taking. This makes it impossible to determine if the land offered complies with the EOEEA Article 97 policy.

MCV urges passage of the PLPA to codify the EOEEA no net loss policy regarding Article 97 land and ensure an above-board, public process whenever anyone proposes to remove Article 97 land from protection.

On behalf of Massachusetts Conservation Voters, I thank you and your staff in advance for your time and consideration. Please feel free to contact me with any questions you may have regarding these important matters.

Sincerely,

A handwritten signature in blue ink that reads "Doug Pizzi". The signature is written in a cursive, flowing style.

Doug Pizzi
Executive Director
Massachusetts Conservation Voters
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