



**Testimony Submitted by the Massachusetts Association of Conservation  
Commissions in support of S.1841 & H.765, *An Act to Sustain Community  
Preservation***

**Joint Committee on Community Development and Small Business  
April 13, 2011**

Thank you Chairman DiDomenico and Chairwoman Forry, and members of the Joint Committee on Community Development and Small Business. My name is Margaret Carroll, I am a faculty member at Framingham State University and a member of the Upton Community Preservation Committee and Upton Planning Board. I am also a member of the Board of Directors of the Massachusetts Association of Conservation Commissions (MACC). My colleague on the MACC Board, Kenneth Whittaker, an environmental lawyer and environmental engineer, is here with me today to present testimony on behalf of the MACC.

The MACC is a nonprofit organization that represents and supports the Conservation Commissions in all 351 cities and towns of the Commonwealth. MACC supports laws and regulations at the state and local levels that allow Conservation Commissions to protect water resources, wildlife habitat, riverfront areas, coastal zones and other natural resources of their communities. Our goal is to enhance the quality of life throughout Massachusetts through scientific and regulatory-based environmental stewardship implemented through the actions of a small army of committed environmental volunteers. The Community Preservation Act has become a valuable tool for Commissions as they pursue these goals and further funding of that program pursuant to the bill being discussed today will provide broad reaching benefits to all citizens of the Commonwealth.

The primary responsibility of Conservation Commissions is to protect the wetlands and water resources within their communities. CPA funds may be used for the preservation of degraded water resources or protection of watersheds. For instance:

- CPA funds have been used for invasive weed control in numerous communities including Lake Mascuppick in Tyngsborough and Bare Hill Pond in the Town of Harvard. Invasive aquatic weeds displace native species and make boating and swimming difficult and ultimately deplete oxygen levels in the water column.
- These funds have also been used to evaluate nitrogen loading in the Westport River estuary. Data from the Westport River studies are being used to design a pollution mitigation plan that involves wetland creation and watershed protection



Conservation, Education & Advocacy and restoration. Reduction of nitrogen levels in the estuary will help to prevent algal blooms which can disrupt fish populations.

- CPA funds have been used for watershed protection by numerous communities including the City of Cambridge, which used the funds for the design and implementation of a watershed soil stabilization plan for Fresh Pond Reservation, and the Towns of Amherst and North Andover which purchased open space to protect important watersheds.
- The protection of drinking water sources is also an allowable use of CPA funds. For instance, the Town of Westford purchased the 107 acre Stepinski parcel for potential well-field development and protection of a future town water source.

In most communities Conservation Commissions also work with Open Space Committees and Community Preservation Committees to identify important parcels for protection and to protect and restore land.

- CPA funds have been used to develop open space and recreation plans, prepare Geographic Information System maps, and complete site surveys and appraisals in many communities including the Towns of Aquinnah, Duxbury, Holliston, Marshfield, Upton, and Wayland.
- The CPA has been used to protect more than 13,300 acres of open space throughout the Commonwealth. In my own community we recently protected a 90 acre property that has been a working farm since it was developed by Eli Whitney's grandfather more than 200 years ago.
- CPA funds have also been used to purchase Agricultural Preservation Restrictions on farmlands in Amherst, Hadley, Dartmouth, Stow, and Westport. APRs protect farmland by purchasing development rights on a property while allowing for continued farming. They protect our agricultural resources and open space and often also protect our watersheds.

MACC's goal in supporting this legislation is to support the activities of Conservation Commissioners throughout the state. Many CPA supported activities are outside the purview of Conservation Commissions, but are equally important. In the Town of Upton, we have used CPA funds for open space protection and also to create and preserve recreational fields, to preserve our historic documents, including a copy of the Declaration of Independence in Town Meeting records from 1776, to preserve historic structures including our Town Hall and a stone chamber that is probably a Native American ceremonial structure.

The CPA supports Conservation Commissions as they protect our water and wetland resources and as they develop and implement plans to protect our open spaces. This legislation would insure that Commissions can continue to depend on this valuable tool by providing for an annual minimum CPA trust distribution of 75% of locally raised funds. Experience with past distributions of funds under the CPA has shown that



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leveraging of local tax revenues through the CPA state match has allowed cities and towns to address a range of “quality of life issues” which might not otherwise be achievable because of local financial constraints and the reluctance of overly conservative taxpayers. Rather, the prospect of a meaningful state match via the CPA can be a powerful incentive to such individuals to accomplish goals which are of unquestioned public benefit including land and historical structure preservation, recreation or affordable housing. The pattern of decreasing matching funds which has recently been observed risks the viability of the program and erodes the impact and reach of those public benefits which it has been observed to promote. And, under the structure refined in this most recent bill, such benefits can come with what MACC believes to be minimal if not negligible financial impact on individual citizens. This legislation would also provide a mechanism by which cities and less affluent communities and which may be in the greatest need of CPA-related funding are able to participate in CPA. MACC is gratified to see the strong co-sponsorship for this legislation in both houses of the legislature and across party lines, and the MACC strongly urges favorable action on this legislation.

Thank you for the opportunity to testify. If you have questions, please contact Linda Orel, Executive Director, MACC, at 617-489-3930 or [Linda.Orel@maccweb.org](mailto:Linda.Orel@maccweb.org)