

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133
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By His Excellency

WILLIAM F. WELD
GOVERNOR

EXECUTIVE ORDER NO. 385

PLANNING FOR GROWTH

WHEREAS, the Citizens of the Commonwealth of Massachusetts have a constitutional "right to clean air and water . . . and the natural, scenic, historic, and aesthetic qualities of their environment" (hereafter "environmental quality and resources");

WHEREAS, the ability to enjoy, protect and preserve environmental quality and resources depends to an important degree on the economic well-being of the Commonwealth, and the ability to sustain long term economic well-being depends to an important degree on the protection and preservation of environmental quality and resources;

WHEREAS, conflict between environmental quality and economic activity ultimately puts at risk environmental resources as well as economic opportunity; thus threatening, for example, public water supplies, clean air, swimmable and fishable waters, flood protection, open space, agricultural lands, historic sites, and community character; but also affecting the timely provision of needed infrastructure, financial assistance and regulatory approvals for appropriately sited and designed development;

WHEREAS, such conflict can be avoided to a great extent through proactive and coordinated planning oriented towards both resource protection and sustainable economic activity, known as growth management; and

WHEREAS, in the absence of effective growth management, the burden of balancing economic development with resources protection is not spread equitable but falls disproportionately on proponents of the most recent development, as well as on communities lacking sufficient means to protect their resources and guide development;

NOW, THEREFORE, I, WILLIAM F. WELD, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me as Supreme Executive Magistrate, do hereby order as follows:

Declaration of Policy

Section 1. The Commonwealth shall actively promote

sustainable economic development in the form of; a) economic activity and growth which is supported by adequate infrastructure and which does not result in, or contribute to, avoidable loss of environmental quality and resources, and b) infrastructure development designed to minimize the adverse environmental impact of economic activity.

Section 2. The dual objectives of resource protection and sustainable development shall be pursued as much as possible through means other than new rules and regulations, such as proactive planning, interagency coordination, incentives and assistance to interested private parties as well as local and regional governments and organizations, and streamlining of regulatory processes so as to facilitate economic activity consistent with this policy.

Implementation

Section 3. All agencies, departments, boards, commissions, authorities and instrumentalities of the Commonwealth (hereafter "Agencies") shall evaluate the effect of their current regulations, policies, plans and practices on their and others' ability to facilitate sustainable economic development and to preserve environmental quality and resources, and shall adopt changes to the extent necessary to effectively contribute to the attainment of these objectives; provided that no such change shall infringe on the jurisdiction or authority of municipal, county, regional or Federal governments.

Section 4. All Agencies shall promote, assist and discharge their duties with full consideration of local or regional growth management plans that have been formally accepted by the affected municipalities.

Section 5. All Agencies shall promote, assist and pursue the rehabilitation and revitalization of infrastructure, structures, sites, and areas previously developed and still suitable for economic (re)use. Such rehabilitation and revitalization, where practicable, shall be deemed preferable over construction of new facilities or development of areas with significant value in terms of environmental quality and resources, unless otherwise provided and supported by local or regional growth management plans.

Section 6. Agencies responsible for planning, funding, constructing or permitting infrastructure facilities such as transportation, water supply, waste water treatment and disposal, and solid waste management facilities, shall actively engage in the development of regional infrastructure plans, if not already in place, in coordination with other Agencies and with local and regional planning entities.

Section 7. Agencies responsible for siting, designing, funding, constructing or permitting of infrastructure projects,

public facilities or private development shall seek to minimize unnecessary loss or depletion of environmental quality and resources that might result from such activity and shall, as part of each final funding or permitting decision, make an express finding as to the consistency of such decision with the provisions of this Order.

Section 8. The Executive Office of Environmental Affairs shall consider the consistency of Agency actions with the provisions of this Order in its review of any project requiring the filing of an Environmental Notification Form pursuant to the Massachusetts Environmental Policy Act.

Section 9. Each Agency affected by this Order shall, within one year following the date of this Order and thereafter on an annual basis, report on the status and effectiveness of its compliance with this Order. Such report shall be noticed and made available for public comment and review.

Section 10. The Secretary of the Executive Office of Environmental Affairs shall, within six months following the date of this Order, issue a guidance document for use by the Agencies in preparing their annual reports pursuant to the preceding section; and shall, within six months following the due date for the Agencies' reports and based on a review of said reports and of public comments received, submit to me a summary report and recommendations for the continued implementation of this Order.

Given at the Executive Chamber
in Boston this 23rd day of April
in the year one thousand nine
hundred and ninety-six.

William F. Weld, Governor
Commonwealth of Massachusetts

William Francis Galvin
Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS

