

By Ms. Resor of Acton, petition of Pamela P. Resor and Robert A. Durand for legislation to establish a nonpoint source pollution control program. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Four.

AN ACT TO AMEND THE SUBDIVISION CONTROL LAW TO PROVIDE FOR THE PREVENTION AND CONTROL OF NONPOINT SOURCE POLLUTION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Massachusetts General Laws Chapter 41,
2 Section 81-L is hereby amended by adding to said section in
3 alphabetical order the following definitions:

4 Best Management Practices — Best Management Practices
5 shall mean structural, nonstructural or managerial techniques that
6 are recognized to be the most effective and practical means to
7 prevent, reduce and control nonpoint source pollutants. The
8 Department of Environmental Protection shall designate the best
9 management practices which are appropriate for use in the
10 Commonwealth.

11 Nonpoint Source Pollution — Nonpoint source pollution shall
12 mean that pollution which is caused by diffuse sources that are
13 not regulated as point sources, and includes the introduction of
14 any pollutant into waters of the Commonwealth which may result
15 in the alteration of the chemical, physical, biological, or
16 radiological integrity of those waters. Nonpoint source pollution
17 is normally associated with stormwater which may result in the
18 transport of pollutants in urban runoff, or in runoff from
19 construction, agriculture, silviculture or other land uses or
20 activities to waters of the Commonwealth.

1 SECTION 2. Massachusetts General Laws Chapter 41,
2 Section 810 is hereby amended by striking the first sentence and
3 substituting in its place the following sentence: "No person shall

4 make a subdivision of any land in any city or town in which the
5 subdivision control law is in effect unless said person has first
6 submitted to the planning board of such city or town for its
7 approval a plan of such proposed subdivision, showing the lots
8 into which such land is to be divided and the ways already existing
9 or which are to be provided by said person for furnishing access
10 to such lots, and further such plan must show the design and
11 location of best management practices for the prevention,
12 reduction, and control of nonpoint source pollution, and the
13 planning board has approved such a plan in the manner
14 hereinafter provided.”

1 SECTION 3. Massachusetts General Laws Chapter 41,
2 Section 81U is hereby amended by adding at the end of the first
3 paragraph the following: “No definitive plan shall be approved
4 which does not show the design and location of best management
5 practices for the prevention, reduction, and control of nonpoint
6 source pollution.”