

By Mr. Decas of Wareham, petition of Charles N. Decas for legislation to provide for the preservation of agricultural and open space land and for the protection of the environment. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT TO PRESERVE AGRICULTURAL LAND AND OPEN SPACE AND PROTECT THE QUALITY OF THE ENVIRONMENT.

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. The General Court finds that preserving
2 agriculture in Massachusetts is an important factor in
3 maintaining open space and protecting the quality of the
4 environment. The General Court also finds that an unintended
5 consequence of the increasing regulatory burden on farm
6 operations may be a decrease in agricultural land as the incentives,
7 economic and otherwise, for keeping land in agriculture erode.
8 It is therefore, declared to be the policy of the Commonwealth
9 to assure that any state or local rule, regulation, by-law, statute
10 or other restriction, does not adversely affect the ability to farm
11 and to maintain all necessary and related land.

1 SECTION 2. Chapter 30A of the General Laws, as appearing
2 in the 1988 Official Edition is hereby amended by adding the
3 following section:

4 30A:18 Review of local and state rules that may impact
5 environmental quality.

6 Section 18. All state regional, and municipal agencies, boards,
7 commissions, before any rule, regulation, by-law or other
8 restriction is enacted, must declare whether or not such restriction
9 will impact on agricultural operations based in the Common-

10 wealth. Further, if such rule, regulation, by-law or other
 11 restriction is determined to have a potential impact on agriculture,
 12 the responsible agency must conduct an impact assessment to
 13 determine the extent of such impact, including, but not limited
 14 to; the effect on future land use and related environmental
 15 impacts.

The Commission of the Environment

June 22, 1989

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