

HOUSE No. 763

By Mr. Guyer of Dalton (by request), petition of Davio Danielson for legislation to establish a wild blueberry pilot project within the Executive Office of Environmental Affairs. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT ESTABLISHING THE WILD BLUEBERRY PILOT PROJECT.

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. Purpose. *Whereas*, The electric companies currently
2 use herbicides to clear brush under power lines; and
3 *Whereas*, the interest of the utility companies is to keep their
4 right-of-ways clear in an economical manner; and
5 *Whereas*, the Commonwealth of Massachusetts has an interest in
6 decreasing the use of herbicides in the Commonwealth; and
7 *Whereas*, wild blueberry bushes grow close to the ground and do
8 not interfere with the electric companies right-of-ways; and
9 *Whereas*, the Commonwealth of Massachusetts has an ideal envi-
10 ronment for growing blueberries; and
11 *Whereas*, wild blueberries have been shown to be rich in healthful
12 antioxidants; and
13 *Whereas*, the increased production of blueberries in Massachu-
14 setts would provide for employment and economic growth as well as
15 returning to citizens the access to healthy wild blueberries;
16 *Therefore*, the legislature establishes the blueberry project, to pro-
17 vide towns the opportunity and support to contract with utility com-
18 panies for the control of brush in utility right-of-ways.

1 SECTION 2. The executive office of environmental affairs shall
2 administer the blueberry pilot project in four municipalities for a
3 period of four years, and, if deemed successful, administer the blue-
4 berry project to additional communities based on appropriation.

5 Municipalities may, by a vote of their governing body, choose to
6 apply to become a “blueberry town”, and may form agreements with
7 other municipalities or economic development agencies to admin-
8 ister the blueberry project. The department of environmental affairs
9 in consultation with the department of agriculture shall conduct an
10 independent assessment of the current soil conditions of the electric
11 right-of-way throughout the “blueberry town”. If the assessment
12 shows any agents in the soil which are known pollutants at levels
13 which would harm people working in the soil, or affect the health of
14 a human eating produce grown in the soil, the department of envi-
15 ronmental protection will work with the utility to rehabilitate the
16 soil.

1 SECTION 2. The executive office of environmental affairs shall
2 work with the municipality to negotiate right-of-way access with the
3 electric utility company to the area near and under high-power elec-
4 tric lines. Once the right-of-way has been granted, the municipality
5 shall work with its local agricultural committee and conservation
6 committee to plan the local blueberry project by planting and main-
7 taining wild blueberries in this space.

1 SECTION 3. Local blueberry projects shall:— promote natural
2 growth of wild blueberries through alternating cutting and growth
3 periods; utilize local labor (including the consultation of blueberry
4 farmers); designate at least fifty percent of the total blueberry area
5 for public picking and volunteer maintenance; contract out any
6 remaining area for private picking and maintenance; disseminate
7 information to the public encouraging wild blueberry growth and
8 explaining the nutritional benefits of wild blueberries; and shall
9 work with local schools to explain the science and cultivation of
10 wild blueberries to students.

1 SECTION 4. The executive office of environmental affairs shall
2 maintain information on the town blueberry projects and shall pro-
3 vide yearly reports to the electric utilities, the senate committee on
4 ways and means, the house committee on ways and means, and to
5 the public about the progress of the blueberry project.