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**2024 REPORT: STATUS OF FUNDS AUTHORIZED IN LIEU OF REPLACEMENT LAND
PURSUANT TO AN ACT PRESERVING OPEN SPACE IN THE COMMONWEALTH**

Section (b)(3) of *An Act Preserving Open Space in the Commonwealth* (M.G.L. c. 3 § 5A(b)(3)) states that “[t]he Secretary of Energy and Environmental Affairs shall annually issue a report of all of the instances in which funding was provided in lieu of replacement land in exchange for a change in the use of or disposition of an interest in land taken, acquired or designated for purposes pursuant to Article XCVII of the Amendments to the Constitution of the Commonwealth including”:

- (1) The amount of funds provided;
- (2) The account into which funds were deposited;
- (3) Whether or not the funds were expended to acquire replacement land; and
- (4) If replacement land was acquired, a description of said land.

This report fulfills the annual reporting requirement of M.G.L. c. 3, § 5A(b)(3).

The information in this report was provided to EEA by the responsible public entity and is included in Appendix A. The report includes the required information on all legislative authorizations for a public entity to provide funding in lieu of replacement land since enactment of M.G.L. c. 3, § 5A, and for which expenditure of the funds has not previously been reported. These legislative authorizations are listed below:

- (1) Chapter 152 of the Acts of 2024: *An Act Authorizing the Town of Canton to Grant Temporary and Permanent Easements Over Certain Conservation Land Situated in the Town of Stoughton for Highway Purpose***

APPENDIX A:
REPORTS ON STATUS OF FUNDING IN LIEU
INSTANCES PROVIDED BY RESPONSIBLE
PUBLIC ENTITIES

Report of Funding in Lieu of Replacement Land Pursuant to *An Act Preserving Open Space in the Commonwealth*

An Act Preserving Open Space in the Commonwealth (c. 274 of the Acts of 2022, codified at M.G.L. c. 3, § 5A) provides that a public entity may provide funding in lieu of replacement land for the change in use or disposition of land subject to Article 97. Public entities authorized to use in lieu funding must hold the funds in an account dedicated solely for acquiring land for Article 97 purposes, which may include a CPA open space account, another already-established account for land preservation purposes, or a segregated account. The public entity must use the funds within 3 years to acquire replacement land in a comparable location, of equal or greater acreage and monetary value as the impacted Article 97 interest and of equal or greater natural resource value as determined by the Secretary.

The Secretary must annually issue a report to the legislature of all instances in which funding was provided in lieu of replacement land, including the amount of funds provided, the account into which the funds were deposited, whether the funds were expended to acquire replacement land and, if so, a description of the land that was acquired. Public entities will use this form to provide the required information to the Secretary.

COMPLETE FORM FOR EACH ACT AUTHORIZING THE USE OF IN LIEU FUNDS

Public Entity Holding Funds: Town of Canton

Article 97 File Number: A97_006_050

Session Law: C. 152 of the Acts of 2024

Has authorized conveyance of Article 97 Interest occurred? Yes ☐ No ☒

Have Funds Been Deposited? Yes ☐ No ☒

Amount of Funds Deposited: TBD

Name of Account Where Funds Have Been Deposited: TBD

Have Funds Been Used to Acquire Replacement Land? Yes ☐ No ☒

Deed or Order of Taking for Replacement Land (attach): N/A

Additional Information:

MassDOT has completed an appraisal, which determined the appraised value of the impact to be \$249,260. The funds have not yet been deposited.