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The Massachusetts In-Lieu Fee Program (ILFP) in the Department of Fish and Game (DFG) appreciates this opportunity to comment on the proposed amendments to the Massachusetts Environmental Policy Act (MEPA) regulations at 301 CMR 11.00. The proposed revisions to 301 CMR 11.01(2)(b)4 are particularly pertinent to the work done by the ILFP. We support the proposal to eliminate the requirement for Ecological Restoration Projects to undergo MEPA review as it will expedite the implementation of such projects and allow more project funds, *e.g.*, ILFP funding, to be invested in providing environmental benefits.

The Wetlands Protection Act (WPA) regulations at 310 CMR 10.04 specifically includes ILFP projects in the definition of Ecological Restoration Project: "The term Ecological Restoration Project shall not include projects specifically intended to provide mitigation for the alteration of a Resource Area . . . other than projects implemented pursuant to a US Army Corps of Engineers approved in-[lieu] fee program." Accordingly, it is our understanding that ILFP projects, including the restoration of cranberry farms, fall within the definition of an Ecological Restoration Project and, therefore, would not be subject to MEPA review under the proposed amendment. Eliminating the requirement for MEPA review will expedite their implementation and allow more ILFP funding to be directed to restoration activities.

Thank you again for the opportunity to comment, and if you would like to discuss this topic further, please do not hesitate to contact me.

Sincerely,

Aisling O'Shea

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MA In-Lieu Fee Program Administrator