

[REDACTED]

From: [REDACTED]
Sent: Tuesday, October 06, 2015 9:11 AM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

x

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/06/15 9:11 AM

Name (optional):: Jonathan Beit-Aharon

Company/Organization (if applicable) (optional)::

Address (optional):: [REDACTED]

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): :

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: DEP, DCR, and others

Describe the regulatory issue or observation:: Where Massachusetts requirements exceed Federal requirements, do not reduce requirements to the Federal levels. The US of A is a huge country, and so Federal regulations are moderated to measures acceptable in radically divergent environments including deserts, high mountains, prairies, and sea shores. By contrast, Massachusetts regulations were designed based on our local needs and environments, with much public input such as this very comment. To willy nilly throw away local input about local needs and reduce requirements to watered down Federal requirements would thwart the will and wisdom of our citizenry, and is ill advised.

Suggestions for improvements to the regulation:: Where our regulations are more restrictive, either leave them as is or at most, open them to another public review, with the understanding that the public might choose to tighten them further.

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From: [REDACTED] <noreply+c5fd552ff2e95870@formstack.com>
Sent: Wednesday, July 22, 2015 12:13 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/22/15 12:12 PM

Name (optional):: James Reger

Company/Organization (if applicable) (optional):: Massachusetts Aggregate and Asphalt Producers Association (MAAPA)

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): :

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: TURA, TURI, MassDEP

Describe the regulatory issue or observation::

The asphalt industry in Massachusetts is forced to report under TURA for liquid asphalt usage. This includes a report on what we are doing to reduce the use of liquid asphalt. Federal Highway and MassDOT along with FAA all require that we use liquid asphalt to make Hot Mix asphalt for paving roads and bridges. They tell us we must use it while TURA asks us to reduce the usage. It is certainly redundant, time consuming and costly to our industry.

Suggestions for easing regulatory compliance::

We ask to be made exempt under -Chapter 21 I Section 15 Performance Standards (f) - "shall be exempt from such standard if compliance would adversely affect the toxic users ability to produce its product in conformance with product specifications of United States Drug Administration, Department of Defense or any other federal agency"

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From: [REDACTED]
Sent: Tuesday, October 06, 2015 9:18 AM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/06/15 9:18 AM

Name (optional):: Dorothy

Company/Organization (if applicable) (optional):: Pauk

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): : 330 12.07

General Regulatory Themes:: Building Codes/Accessibility Standards

Please list the Agency or Agencies affiliated with this regulation::

Describe the regulatory issue or observation:: No need for 48 hour incubation at pet stores. It will negatively affect adoptions.

Suggestions for improvements to the regulation::

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Sent: Tuesday, October 06, 2015 10:57 AM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform
Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/06/15 10:56 AM

Name (optional):: Sandra Kendall

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): : 330 CMR 12.07(1)

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation::

Describe the regulatory issue or observation::

Under state regulation 330 CMR 12.07(1), all animals offered for adoption through events at pet stores must be quarantined in the pet store for 48 hours. That's an unnecessary step and it's harming the ability to adopt healthy pets.

Suggestions for improvements to the regulation::

Healthy, veterinarian-checked animals should be allowed in pet stores without this unnecessary quarantine. This regulation causes our state's adoption levels to decrease, which is bad news for animals and the people who care about them.

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From: [REDACTED]
Sent: Tuesday, October 06, 2015 11:28 AM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform
Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/06/15 11:27 AM

Name (optional):: Kristen

Company/Organization (if applicable) (optional):: Select...

Address (optional)::

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): :

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: MDAR

Describe the regulatory issue or observation::

1. Rabies protocol is outdated.
2. Stiffer regulations for backyard breeders.
3. Consist Animal Control Officer training, protocol: placement of dogs, networking of dogs, rabies vaccinations Brockton ACOs have transferred dogs without rabies vaccination to rescues in the commonwealth as recent as November of 2014), Medical care of animals in their care, evaluations and posting of found dogs.
4. Rescue Access laws
5. State to state transfer of animals (abutting states).

Suggestions for improvements to the regulation::

Rabies protocol is outdated and NOT consistently enforced. This is an MDAR issue that needs to be resolved among their department.

There are no regulations on breeding which directly relates to the homeless animal population. Breeders should be required to obtain a license within the Commonwealth in order to breed.

There is NO consistency among Animal Control Officers/Towns. Training should be required and mandated. This training should include and mandate consistency with protocols - animal placement, medical care, vaccinations for transfer, working with shelters and rescues to place dogs *quickly*,

From: [REDACTED]
Sent: Tuesday, October 06, 2015 11:40 AM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform
Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/06/15 11:40 AM

Name (optional):: Patricia Rogler

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : 330 CMR 12.07(1)

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation::

Describe the regulatory issue or observation:: Under state regulation 330 CMR 12.07(1), all animals coming through pet stores and offered for adoption, must be quarantined in the pet store for 48 hours.

Suggestions for improvements to the regulation:: I believe that healthy, veterinarian-checked animals should be allowed in pet stores without this unnecessary quarantine. This regulation causes our state's adoption levels to decrease, which is bad news for animals and the people who care about them. Thousands of cats and dogs at pet shop "meet and greet" events wouldn't have that option under a this regulation and it would make these types of events nearly impossible. That means that countless families are missing out on their new family pet, and that an equal number of animals will miss the opportunity of their lifetime.

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To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform
Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/06/15 12:06 PM

Name (optional):: Janis Oles

Company/Organization (if applicable) (optional)::

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): :

General Regulatory Themes:: Building Codes/Accessibility Standards

Please list the Agency or Agencies affiliated with this regulation:: Department of Agricultural Resources

Describe the regulatory issue or observation:: Under state regulation 330 CMR 12.07(1), all animals coming through pet stores and offered for adoption even through rescue organizations must be quarantined for 48 hours. That's an unnecessary step and it's harming our ability to adopt healthy pets.

Suggestions for improvements to the regulation:: Any decent rescue organization has all the animals they take in thoroughly vetted before they offer them for adoption.

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To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/06/15 1:27 PM

Name (optional):: Randi Ellingboe

Company/Organization (if applicable) (optional)::

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : 330 CMR 12.07(1)

General Regulatory Themes:: Building Codes/Accessibility Standards

Please list the Agency or Agencies affiliated with this regulation:: Department of Agricultural Resources

Describe the regulatory issue or observation:: Limits ability of rescue organizations to offer healthy pets for adoption.

Suggestions for improvements to the regulation:: Documentation of health and vaccinations by a veterinarian should be sufficient evidence that an animal is ready for adoption. A 48 hour quarantine period is unnecessary and serves only to discourage rescue of homeless pets. Reputable rescue organizations do a better job of ensuring healthy and appropriate placement of pets than do puppy mills and the like. We should be enacting legislation to increase the numbers of safe adoptions of homeless pets rather than placing unnecessary restrictions on it.

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To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/06/15 5:36 PM

Name (optional):: Anne Corcoran

Company/Organization (if applicable) (optional):: 1954

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : 330 CMR 12.07(1)

General Regulatory Themes:: Building Codes/Accessibility Standards

Please list the Agency or Agencies affiliated with this regulation::

Describe the regulatory issue or observation::

Suggestions for improvements to the regulation::

This is going to do more harm than good in improving the quality of animal's lives.

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Sent: Wednesday, October 07, 2015 1:12 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform
Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/07/15 1:12 PM

Name (optional):: Deborah Siebols

Company/Organization (if applicable) (optional)::

Address (optional):: [REDACTED]

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): : 330 12.07

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: Department of Agricultural Resources

Describe the regulatory issue or observation:: Licensing and operation of PET STORES

The 48 hour isolation period required will adversely effect the placement of animals into adoption situations during ADOPTION EVENTS offered by many pet shops. This will mean fewer dogs/cats will be placed in forever homes.

Suggestions for improvements to the regulation:: waive the 48 hour isolation clause for Pet Shop adoption events.

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From: noreply@formstack.com
Sent: Wednesday, October 07, 2015 3:40 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/07/15 3:39 PM

Name (optional):: Jane Davin

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): : 330 CMR 12.07 (1)

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: Agriculture

Describe the regulatory issue or observation:: Lumping Pet Adoption Events into the same category as Pet Stores and requiring quarantine for 48 hours onsite.

Suggestions for improvements to the regulation:: When Pet Supply Stores host an adoption day, the animals brought for those adoption days should not have to be quarantined for 48 hours. These animals have typically been vetted by a qualified veterinarian, have been temperament tested, fostered and trained and the pet adoption events are a way of getting animals up for adoption matched with an adoptive family. This provision is negatively affecting a very beneficial situation because it doesn't fall into a neat category and is being lumped in with pet stores in general. I had to pick up my rescue dog in NH for much the same reason! The state of Massachusetts views pet adoption agencies as "pet stores" - ridiculous.

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[REDACTED] 67b49a54ea08525@formstack.com>
Wednesday, October 07, 2015 3:57 PM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/07/15 3:56 PM

Name (optional):: doris hodgdon

Company/Organization (if applicable) (optional):: Mrs.

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : 330 CMR 12.07

General Regulatory Themes:: Licensing and Permitting

Please list the Agency or Agencies affiliated with this regulation::

Describe the regulatory issue or observation::

Requirement to isolate animals up for adoption in pet stores for 48 hrs before allowing public to see them is REDICULOUS and puts a complete damper on helping humane societies to find permanent homes. Please remove this requirement and GIVE THE ANIMALS A FIGHTING CHANCE AT A HOME.

Suggestions for improvements to the regulation::

Remove all restrictions that inhibit adoptions.

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From:
Sent:
To:
Subject:

[REDACTED]noreply+d3f4b7788a694142@formstack.com>
Wednesday, October 07, 2015 4:02 PM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/07/15 4:02 PM

Name (optional):: mary diangelis

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): : 330 CMR 12.07(1)

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: mdar

Describe the regulatory issue or observation:: animals already in an approved 501c3 rescue or shelter must be quarantined 48 hours before being allowed to adoption events at pet stores.

Why?

How was this enacted without any public hearing/review?

The current quarantine on out of state animals into MA is based on little to know evidence of its need for such over broad legislation. In addition since its enactment there have been no statistics on its effect on what it was trying to prevent.

Suggestions for improvements to the regulation::

Repeal it.

Concentrate on issues that are a real problem in our state.
Backyard breeders
Conditions of ACO facilities
Allowing rescues and shelters access to ACO animals
Dog fighting rings
Pet shops acquiring animals from puppy mills

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To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/07/15 4:25 PM

Name (optional):: mary di angelis

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): :

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: mdar

Describe the regulatory issue or observation::

48 hour quarantine of out of state rescue animals. MDAR did not provide any statistics to show there was a need for such drastic requirements putting substantial financial and energy strain on rescue non-profits trying to save animals. Seems like there could have been discussions to determine less restrictive and less intrusive alternatives. Was the health concern so widespread to lead to such measures? And if so, why was the time frame of 48 hours used? Since the inception of the quarantine regulation, what has the impact been before and after on health issues? Does it warrant such over sweepingly broad regulations?

Suggestions for improvements to the regulation::

Many other states accept vet certificates from out of state vets. If a board certified vet certifies an animal complies with the MA requirements, the animal should not need to be quarantined. In the very least, we should have relaxed requirements with adjoining New England states of NH, VT, RI and CT.

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From:
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Subject:

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Wednesday, October 07, 2015 4:30 PM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/07/15 4:29 PM

Name (optional):: mary di angelis

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): :

General Regulatory Themes::

Other

Please list the Agency or Agencies affiliated with this regulation::

mdar

Describe the regulatory issue or observation::

The number one biggest contributor to the problem (homeless animals) is the "backyard breeder" per article <http://www.21stcenturycares.org/backyardbreeders.htm>. Of the 53 million dogs in the U.S., about two-thirds come from backyard breeders. We don't keep stats in MA, so we have no idea how many end up in shelters and/or euthanized.

Suggestions for improvements to the regulation::

How to spot signs of dogfighting in your community (Per HSUS website)

An inordinate number of pit bull-type dogs being kept in one location, especially multiple dogs who are chained and seem unsocialized

With more aggressive work via inspectional services, stiffer fines/penalties, we can stop this.

Also Work with volunteer rescue groups/shelters in towns/cities hardest hit with this issue. For example, Boston, Dorchester, Worcester to name a few. Maybe do a Pilot Program in one or two cities/towns to work out a program that works. Commission a volunteer rescue group to research what has successfully worked in other states.

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Wednesday, October 07, 2015 4:30 PM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/07/15 4:29 PM

Name (optional):: mary di angelis

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): :

General Regulatory Themes::

Other

Please list the Agency or Agencies affiliated with this regulation::

mdar

Describe the regulatory issue or observation::

The number one biggest contributor to the problem (homeless animals) is the "backyard breeder" per article <http://www.21stcenturycares.org/backyardbreeders.htm>. Of the 53 million dogs in the U.S., about two-thirds come from backyard breeders. We don't keep stats in MA, so we have no idea how many end up in shelters and/or euthanized.

Suggestions for improvements to the regulation::

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An inordinate number of pit bull-type dogs being kept in one location, especially multiple dogs who are chained and seem unsocialized

With more aggressive work via inspectional services, stiffer fines/penalties, we can stop this.

Also Work with volunteer rescue groups/shelters in towns/cities hardest hit with this issue. For example, Boston, Dorchester, Worcester to name a few. Maybe do a Pilot Program in one or two cities/towns to work out a program that works. Commission a volunteer rescue group to research what has successfully worked in other states.

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From:
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Subject:

[REDACTED]noreply+0f5b437d00912594@formstack.com>
Thursday, October 08, 2015 7:54 AM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/08/15 7:54 AM

Name (optional):: John Miller

Company/Organization (if applicable) (optional):: Marine Renewable Energy Collaborative

Address (optional):: PO Box 479
Marion, MA 02738

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): :

General Regulatory Themes:: Energy and Utilities

Please list the Agency or Agencies affiliated with this regulation:: DEP, DOER, MassCEC

Describe the regulatory issue or observation::

The state has a tremendous resource in low head hydro facilities (Small dams and abandoned water wheels) that could represent megawatts in continuous and distributed generation. DOE has recognized the potential of small head hydro and has a program to develop new technologies (One award was to a Massachusetts Company) to address this but many could be developed with current generators. However, half of the dams in the Commonwealth are unclaimed because of the liability associated with old structures, often dirt, with questionable engineering. Developing these sites would add to generation while address potential safety hazards, as was seen in the Taunton dam almost breaking.

Suggestions for improvements to the regulation::

- 1) Regulations must be changed to allow some indemnification for developers.
- 2) The state should develop a program to inspect and document all potential low head sites.
- 3) MassCEC should develop a program to specifically develop low head hydro sites around the state.

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From: [REDACTED]noreply+0f5b437d00912594@formstack.com>
Sent: Thursday, October 08, 2015 8:03 AM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform
Categories: Red Category

 [REDACTED]

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/08/15 8:03 AM

Name (optional):: John Miller
Company/Organization (if applicable) (optional):: Marine Renewable Energy Collaborative
Address (optional):: [REDACTED]
Primary Phone (optional):: [REDACTED]
Email (optional):: [REDACTED]
CMR Number (if known): :

General Regulatory Themes:: Energy and Utilities

Please list the Agency or Agencies affiliated with this regulation:: DOER, CZM, DEP

Describe the regulatory issue or observation::

Several years ago, DEP and CZM did outstanding, forwarding looking work in developing regulations that were specifically aimed at simplifying the requirements for developers of new marine renewable energy technologies to allow small, temporary demonstrations in oceans or rivers. This was a commendable effort by government agencies to encourage development of green technologies with reasonable accommodations.

Suggestions for improvements to the regulation::

- 1) Ensure codification of the suggestions that came out of this effort.
- 2) Use this effort as an example of how government can be proactive in making reasonable accommodations for making potentially big advances while tolerating potential small local impacts.

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From: [REDACTED] <[REDACTED]@formstack.com>
Sent: Thursday, October 08, 2015 12:51 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform
Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/08/15 12:50 PM

Name (optional):: Clare Donegan

Company/Organization (if applicable) (optional):: Citizen

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): :

General Regulatory Themes:: Building Codes/Accessibility Standards

Please list the Agency or Agencies affiliated with this regulation:: DPU

Describe the regulatory issue or observation::

Hello,
Regarding Executive Order 562 with respect to the DPU, will Governor Baker's investigation address only the "55 regulation chapters" the DPU "has reviewed" and identified for which "amendment(s) or rescission(s) may be appropriate" or will the Governor consider other DPU orders/agendas?
I look forward to hearing back from you.
Thank you.
Clare

(*) < http://web1.env.state.ma.us/DPU/FileRoomAPI/api/Attachments/Get/?path=15-562%2fNotice_Request_Comments_92515.pdf >

Suggestions for improvements to the regulation::

From: [REDACTED] <[REDACTED]@formstack.com>
Sent: Friday, October 09, 2015 10:14 AM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/09/15 10:13 AM

Name (optional):: Virginia Petkus

Company/Organization (if applicable) (optional):: Sonsini Animal Shelter

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): :

General Regulatory Themes:: Building Codes/Accessibility Standards

Please list the Agency or Agencies affiliated with this regulation::

Describe the regulatory issue or observation::

330CMR12.07(1) quarantine reg while well intentioned , prohibits shelter organizations from doing events at pet stores. We do not have a quarantine facility and are now not able to do adoption events at pet stores where there is much more exposure to the public. Our pet store events were very successful in the past and we adopted out hundreds of cats without incident. Now the shelter is backed up with cats, has a waiting list to get in (surrender animals) and cats (and dogs) are left on the streets to fend for themselves. AND some other organizations are not following the reg. because they think it is prohibitive. Those of us who are following it, suffer.

Suggestions for improvements to the regulation::

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From: [REDACTED] <noreply+545efe69421424ab@formstack.com>
Sent: Friday, October 09, 2015 10:56 AM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/09/15 10:55 AM

Name (optional):: danielle Lapointe

Company/Organization (if applicable) (optional):: Sonsini Animal Shelter

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : 330cmr12.07(1)

General Regulatory Themes:: Building Codes/Accessibility Standards

Please list the Agency or Agencies affiliated with this regulation:: This regulation forced us to take our kittens that we had in foster into the shelter rather than directly from foster to pet store to a home. the shelter had an upper respiratory that endangered the kittens. They would have been better off going directly to customers and by passing the shelter at this time. Our adoption rates are down significantly from last year.

Describe the regulatory issue or observation:: 330CMR12.07(1) quarantine reg while well intentioned , prohibits shelter organizations from doing events at pet stores. We do not have a quarantine facility and are now not able to do adoption events at pet stores where there is much more exposure to the public. Our pet store events were very successful in the past and we adopted out hundreds of cats without incident. Now the shelter is backed up with cats, has a waiting list to get in (surrender animals) and cats (and dogs) are left on the streets to fend for themselves. AND some other organizations are not following the reg. because they think it is prohibitive. Those of us who are following it, suffer.

Suggestions for improvements to the regulation::

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From: [REDACTED]noreply+95e14be32fab3d03@formstack.com>
Sent: Friday, October 09, 2015 12:32 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/09/15 12:31 PM

Name (optional):: Liz Macarilla

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): : [REDACTED]

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: State Department of Agricultural Resources

Describe the regulatory issue or observation:: Under state regulation 330 CMR 12.07(1), all animals coming through pet stores and offered for adoption (even pets in the care of rescue organizations partnering with pet stores for adoption events) must be quarantined in the pet store for 48 hours.

Suggestions for improvements to the regulation::

The 48 hour quarantine is an unnecessary step and is harming the ability of pet stores and rescue organizations to adopt healthy pets. Healthy, veterinarian-checked animals should be allowed in pet stores without this unnecessary quarantine. This regulation will cause our state's adoption levels to decrease, which is not the direction we should be trending. We want fewer barriers in place for responsible parties to facilitate animal adoption - or at least, smarter ones. A veterinarian-checked animal is safer than an animal that has merely been quarantined for a requisite period of time. I have personally been involved with pet store adoption events through partnerships with the local animal shelter at which I volunteer. These events are positive experiences for all parties. Let's encourage them and their goal - more adoptions for homeless animals, more responsible pet ownership. A quarantine on healthy pets is a waste of time, money, and precious resources, not to mention an impediment to adoption.

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Friday, October 09, 2015 12:57 PM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/09/15 12:56 PM

Name (optional):: Heather DeMelia

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): : 12.07 (1)

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: Department of Agricultural Resources

Describe the regulatory issue or observation::

Thousands of cats and dogs at pet shop "meet and greet" events wouldn't have that option under a current Department of Agricultural Resources regulation that makes these types of events nearly impossible. That means that countless families are missing out on their new family pet, and that an equal number of animals will miss the opportunity of their lifetime. That doesn't seem right and I hope that you will make a change.

Under state regulation 330 CMR 12.07(1), all animals coming through pet stores and offered for adoption (even pets in the care of rescue organizations), must be quarantined in the pet store for 48 hours. That's an unnecessary step and it's harming our ability to adopt healthy pets.

I think regulation 330 CMR 12.07(1) does more harm than good.

Suggestions for improvements to the regulation::

Under state regulation 330 CMR 12.07(1), all animals coming through pet stores and offered for adoption (even pets in the care of rescue organizations), must be quarantined in the pet store for 48 hours. That's an unnecessary step and it's harming our ability to adopt healthy pets.

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A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/09/15 2:42 PM

Name (optional)::	Jeffrey Brem
Company/Organization (if applicable) (optional)::	Home Builder's and Remodelers Association of Massachusetts
Address (optional)::	[REDACTED]
Primary Phone (optional)::	[REDACTED]
Email (optional)::	[REDACTED]
CMR Number (If known): :	310 CMR 10.00 (wetland) and 310 CMR 15.00 (Title 5)
General Regulatory Themes::	Housing
Please list the Agency or Agencies affiliated with this regulation::	Mass DEP
Describe the regulatory issue or observation::	Title 5 - Large Reporting Systems, Daily Flow Rate, Reduced Groundwater offset with I/A systems, Local Regulations. Wetland: Local upland regulations, Zone A issues, EPA/ACOE coordination & consistency, local regulations in general
Suggestions for improvements to the regulation::	See separate documents hand delivered and submitted to DEP.Talks@state.ma.us

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To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/09/15 6:53 PM

Name (optional):: D. Conley

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): : 330 CMR 12.07(1)

General Regulatory Themes:: Public Safety

Please list the Agency or Agencies affiliated with this regulation:: Department of Agricultural Resources

Describe the regulatory issue or observation:: Regulation 330 CMR 12.07(1) would require that healthy, adoptable, vet-checked cats and dogs be quarantined for 48 hours in a pet store before being allowed to participate at adoption events in the store.

Suggestions for improvements to the regulation:: Under state regulation 330 CMR 12.07(1), all animals coming through pet stores and offered for adoption at "meet-and-greet" events must be quarantined in the pet store for 48 hours. This is an unnecessary step for dogs and cats that have already been certified by a veterinarian as healthy and adoptable.

This redundant quarantine period will make it nearly impossible to run these adoption events at pet stores, and prevent healthy pets' chances of being placed with adoptive families. That means countless families will miss out on their new family pet, and an equal number of animals will miss the opportunity of their lifetime. This will diminish our state's adoption levels, which is bad news for animals and the people who care about them.

Healthy, veterinarian-checked animals should be allowed to participate in pet store adoption events without this unnecessary quarantine.

Thank you for your consideration.

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Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/10/15 10:34 PM

Name (optional):: Julia Blyth

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): :

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: Executive Office

Describe the regulatory issue or observation::

I find the concept of Governor Baker's Executive Order #562 to be outrageous for several reasons.

1. In an effort to "ease the burden" on business, he would require extremely busy state agencies to spend their time re-writing regulations
2. The regulations were, in most cases, put in place with much careful thought, and many have been reviewed since.
3. Section 3.3 of the order: "the regulation does not exceed federal requirements or duplicate local requirements" is especially disturbing. Many people (myself included) want to live in Massachusetts precisely because there are stringent regulations, which protect us and the land from harmful practices.

Suggestions for improvements to the regulation::

I recommend removing Section 3.3 from the order. Particularly in the case of environmental protection, it is essential that our regulations provide protection beyond federal regulations.

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[REDACTED] <noreply+5650f6aa96ab4948@formstack.com>
Monday, October 12, 2015 8:53 AM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/12/15 8:52 AM

Name (optional):: Gary Nedelman

Company/Organization (if applicable) (optional):: AlphaGary Corporation

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): : 220 C.M.R. 11.00 et seq.

General Regulatory Themes:: Energy and Utilities

Please list the Agency or Agencies affiliated with this regulation:: DPU
ISO NE

Describe the regulatory issue or observation:: Electricity Supply:
In case of industry / commercial... when basic service from utility (LDC) is chosen versus competitive electricity supplier, line-item (ISO NE) charges including; capacity, RPS, etc. are not allocated equitably.

Suggestions for improvements to the regulation::

1. Consider change to ISO NE market structure.
2. All customers in same rate class (commercial / industrial) should be charged same line-item charges (based upon demand and / or consumption) regardless of choice of electricity supplier.

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[REDACTED] <noreply+a717d533c434d7cf@formstack.com>
Wednesday, October 14, 2015 11:45 AM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/14/15 11:45 AM

Name (optional):: Wilson Dobson

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): :

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: DCR

Describe the regulatory issue or observation::

Having attended the DCR Listening Session held October 13, 2015 and listening to the comments from the public I have come to the conclusion that it is not the regulations themselves that need review (although there are conflicts within the regulations) but how the regulations are implemented. There is much inconsistency in the rules generated to enforce the regulations, and many appear to be without merit or a justifiable basis. In addition to review of the DCR regulations as presented in the CMR's which it appears is all the DCR has undertaken, there needs to be a review of the next level down in the hierarchy to see what rules make sense and can they be justified on any logical or scientific basis.

Suggestions for improvements to the regulation::

Too many to list! However the rules governing public access are in conflict across the different parts of DCR (Parks vs Watershed for example) and appear to be made without any basis.

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[REDACTED]noreply+29b3fdbb80a00f1f@formstack.com>
Thursday, October 15, 2015 5:20 AM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/15/15 5:19 AM

Name (optional):: Stephanie Peters

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): : 330 CMR 12.07(1)

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: Department of Agricultural Resources

Describe the regulatory issue or observation:: Thousands of cats and dogs at pet shop "meet and greet" adoption events at stores like PetSmart don't have the option to participate in adoption events under a current Department of Agricultural Resources regulation that makes these types of events nearly impossible. That means that countless families are missing out on their new family pet, and that an equal number of animals will miss the opportunity of their lifetime.

Under state regulation 330 CMR 12.07(1), all animals coming through pet stores and offered for adoption (even pets in the care of rescue organizations), must be quarantined in the pet store for 48 hours. That's an unnecessary step and it's harming our ability to adopt healthy pets. Regulation 330 CMR 12.07(1) does more harm than good.

Suggestions for improvements to the regulation::

Healthy, veterinarian-checked animals should be allowed in pet stores without this unnecessary quarantine. This regulation causes our state's adoption levels to decrease, which is bad news for animals and the people who care about them.

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Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/15/15 12:35 PM

Name (optional):: Charlie Niebling

Company/Organization (if applicable) (optional):: Innovative Natural Resource Solutions LLC

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): :

General Regulatory Themes:: Energy and Utilities

Please list the Agency or Agencies affiliated with this regulation:: MA DOER

Describe the regulatory issue or observation::

MA legislature/Gov Patrick passed S.2214 in July 2014, adding thermal renewable energy to the MA Alternative Portfolio Standard. MA DOER did a good job for first six months involving stakeholders in development of draft regulations implementing this change in statute. Since December 2014 there has been no communication with stakeholders regarding status of draft regulations. Numerous attempts at communicating with DOER have resulted in curt replies indicating that regs "are under legal review". Statute authorized implementation of new law starting in January 2015. Ten months later we have no regs and do not appear to be near release of draft reg for public comment. Reform issue here is not the substance of the draft regulation (since we don't yet know what it will propose), but rather the slow process and lack of communication with stakeholders.

Suggestions for improvements to the regulation::

Make completion of the regulations necessary to implement S.2214 (2014) a priority at MA DOER. Communicate regularly with stakeholders. Set clear expectations about timeline to complete regulation, AND STICK TO IT. Businesses have investment backed expectations based on this change in law being implemented promptly. A true partnership with the business community requires that DOER be more attentive to the need for regular communication, clear expectations about process, and expedite implementation within a reasonable length of time.

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From:
Sent:
To:
Subject:

claire@solarstoreofgreenfield.com <noreply+0ba2b97e64efe973@formstack.com>
Thursday, October 15, 2015 12:56 PM
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A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/15/15 12:56 PM

Name (optional):: claire chang

Company/Organization (if applicable) (optional):: Solar Store of Greenfield

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): :

General Regulatory Themes:: Energy and Utilities

Please list the Agency or Agencies affiliated with this regulation:: DOER

Describe the regulatory issue or observation:: RPS only 1% per annum.
residential solar loan program
energy storage

Suggestions for improvements to the regulation:: This needs to be raised to 2.5% min per annum.
the residential solar loan program has taken too long to roll out. let's get this rolling soon. LOW income households are waiting to take advantage of the loan support so they are participate in the generating electricity from the Sun.

we need to move energy storage into the mainstream. utilities and ratepayers all can play a role.

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Sent: Thursday, October 15, 2015 4:47 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/15/15 4:46 PM

Name (optional):: Dean landoli

Company/Organization (if applicable) (optional):: Quabbin Solar LLC

Address (optional):: [REDACTED]

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): :

General Regulatory Themes:: Energy and Utilities

Please list the Agency or Agencies affiliated with this regulation:: DPU/DOER

Describe the regulatory issue or observation:: Massachusetts Net Metering regulations-An Act Relative to a Long Term Sustainable Solar Industry-Section 5 (j)

Suggestions for improvements to the regulation::

The proposal to impose retroactive expiration dates (20 years from interconnect) to facilities that have been operating under the current net metering rules and regulations would be extremely unfair, and potentially damaging to the state of Massachusetts' reputation. Many developers, myself included, invested considerable financial and time resources to 'jump start' the states solar renewable energy market. We did so at great risk and cost, and by accepting and working within the law as it was written. To revoke these rights would send a strong signal to subsequent investors that at any time the state of Massachusetts may simply 'change its' mind and put projects at great risk. Keep in mind, when many early projects were built, the cost to build was far greater than it is now.

I urge the administration to follow the recommendations of the 'Net Metering Working Group.' If there are to be any changes to net metering rules, these changes should be applicable to future projects only.

Regards,

Dean landoli

From: [REDACTED] <[REDACTED]@formstack.com>
Sent: Friday, October 16, 2015 10:53 AM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform
Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/16/15 10:53 AM

Name (optional):: William Brunell

Company/Organization (if applicable) (optional):: R.W.'s Inc.

Address (optional):: [REDACTED]
[REDACTED]
[REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : Chapter 272.00 of Title 220

General Regulatory Themes:: Doing Business in MA

Please list the Agency or Agencies affiliated with this regulation:: DPU

Describe the regulatory issue or observation:: Rate increase application filed by Statewide Towing Association.
Case # 13-124 fled on 8/5/13.
Resubmitted 8/12/15

Suggestions for improvements to the regulation:: We support this rate increase and ask that it be moved forward asap. Our company does towing for many police depts., local and state. We have a huge responsibility in keeping road ways open in a safe, timely manner. This requires training and equipment along with various other cost. The rate for involuntary towing has not been raised since 2004. We are looking for any help that we can receive in moving this application forward.
Thank you.

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Friday, October 16, 2015 11:20 AM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/16/15 11:19 AM

Name (optional):: Jennifer Carlino
Company/Organization (if applicable) (optional):: Massachusetts Society of Municipal Conservation Professionals (MSMCP)

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): : 310 CMR 10.00

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: DEP

Describe the regulatory issue or observation::

There are significant natural resources that do not currently have performance standards, such as Land Subject to Coastal Storm Flowage, Vernal Pools, and the 100-foot Buffer Zone. The omission or lack of performance standards for these important areas has sparked the adoption of local bylaws, with different requirements in each municipality. State-wide performance standards, would allow for more uniform protection of these important areas based on the most up to date science.

Suggestions for improvements to the regulation::

Require DEP to work with stakeholders to adopt performance standards for these three important areas. We understand DEP's advisory committee of regulators and stakeholders has completed a draft of performance standards for Land Subject to Coastal Storm Flowage. This process should continue to public review and adoption. These new performance standards should be based on the best scientific evidence available, particularly with regard to anticipated impacts from climate change and sea level rise. Performance standards for vernal pools and buffer zones should also be based upon the best scientific evidence available.

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Sent: Friday, October 16, 2015 1:11 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/16/15 1:10 PM

Name (optional):: Joseph Maruca

Company/Organization (if applicable) (optional):: West Barnstable Fire Department

Address (optional):: [REDACTED]
[REDACTED]
[REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : 310 CMR 7.00

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: Department of Environmental Protection
Local Fire Departments

Describe the regulatory issue or observation:: Open Burning Regulation. There is conflict between DEP and local fire departments as to whether or not the use of fire pits, chimineas, outdoor fire places, camp fires (on beach, at scouting events, etc.) and propane/natural gas fire pits are regulated by the open burning regulations. I have observed that even within DEP there is conflict on this point. Some DEP offices and staff tell local fire departments they must extinguish these types of fires and other DEP offices and staff say they aren't covered. A literal interpretation of the open burning law might say that these can only be used during the open burning season from January to April and during open burning hours from 10AM to 4PM. We have inconsistent enforcement.

Suggestions for improvements to the regulation:: Make up your mind --- are fire pits, chimineas, outdoor fire places, camp fires and propane/natural gas fire pits lawful or not? And if they are not lawful, then lets stop the sale of them and the permitting of them by our building departments.

A clear statement within the open burning regulations as to whether or not these items can be used/purchased, or if they are subject to the open burning regulations is needed.

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Sent: Monday, October 19, 2015 8:17 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/19/15 8:16 PM

Name (optional)::

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): :

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: Natural Heritage and Endangered Species Program

Describe the regulatory issue or observation::

I am appalled that there would be any consideration of scaling back Massachusetts' excellent regulations on endangered species, land protection, wetland protection and other environmental safeguards. We have the legacy of very special places and rare species because of years and years of hard work by dedicated state employees who have upheld some of the most important regulations ever put in place in this state for the very reason that they are STRONGER than the federal regs. It is incredibly short-sighted and naive to think that scaling back to the level of federal protection is a positive step. We are still losing acres and acres of habitat to development each day in this state while not gaining population, so if anything, the regulations need to be stronger still.

Suggestions for improvements to the regulation::

There is no need to improve these regulations (Mass Endangered Species Act, Wetlands Protection Act), other than the strengthen them and give more financial support to the agencies that carry them out. Please do not weaken these important regulations.

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[REDACTED] <noreply+9e04a3592b1f5a74@formstack.com>
Tuesday, October 20, 2015 7:31 AM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/20/15 7:30 AM

Name (optional):: Holly Morris

Company/Organization (if applicable) (optional):: Duxbury Conservation Commission

Address (optional):: [REDACTED]

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): : 310 CMR 10.0

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: MA DEP

Describe the regulatory issue or observation::

Executive Order 562 - As Commissioners in the Town of Duxbury, we are seeing a dramatic increase in plans for development in marginal areas and litigation. If it weren't for dedicated Commissioners, strong bylaws, and concerned Selectmen, this town would be overrun with development and increasing demands on our services and natural resources. Our taxes are a serious concern. Unfortunately, the litigation is often from individuals who put their interests before the town's and they have the resources to continue litigation indefinitely, a town does not. In speaking with other commissioners, this is a common problem. We need stronger regulations, not weaker, and we need a DEP that has adequate staffing with experience and time to support our communities.

Suggestions for improvements to the regulation::

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Sent: Tuesday, October 20, 2015 7:41 AM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/20/15 7:41 AM

Name (optional):: Holly Morris
Company/Organization (if applicable) (optional):: Duxbury Conservation Commission
Address (optional):: 145 Abrams Hill Rd
Duxbury, 02332

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): : [REDACTED]

General Regulatory Themes:: Environmental Protection [REDACTED]

Please list the Agency or Agencies affiliated with this regulation:: MA DEP

Describe the regulatory issue or observation::

Executive Order 562 - As Commissioners in the Town of Duxbury, we are seeing a dramatic increase in plans for development in marginal areas and litigation. If it weren't for dedicated Commissioners, strong bylaws, and concerned Selectmen, this town would be overrun with development and increasing demands on our services and natural resources. Our taxes are a serious concern. Unfortunately, the litigation is often from individuals who put their interests before the town's and they have the resources to continue litigation indefinitely, a town does not. In speaking with other commissioners, this is a common problem. We need stronger regulations, not weaker, and we need a DEP that has adequate staffing with experience and time to support our communities.

Suggestions for improvements to the regulation::

Regulations pertaining to Land subject to coastal flooding should be strengthened given that sea level rise is visibly apparent and threatening property and safety. Despite these concerns individuals insist on developing within these areas. 10.32, 10.34, and 10.35 regulations need to be strengthened as these areas are increasingly being degraded with development which has a direct impact on the fisheries in New England.

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From: [REDACTED]noreply+108725656a857162@formstack.com>
Sent: Monday, October 26, 2015 8:56 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/26/15 8:56 PM

Name (optional):: Martha Moore

Company/Organization (if applicable) (optional):: Belmont Land Trust, Massachusetts Association of Conservation Commissioners (MACC)

Address (optional):: [REDACTED]

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): : executive order 562

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: This executive order covers state regulations... It is very broad.

Describe the regulatory issue or observation:: I support the positions taken by the Environmental Defense Fund and the Land Trust Association, as well as the MACC.

Suggestions for improvements to the regulation:: Under the order, regulations across all sectors that do not meet a specific set of criteria would be retired, with one condition requiring that a state regulation cannot exceed federal requirements. I feel that this was partly a pandering move to impress the national Republican Party and thank them for the support he was given.

It is the position of one who does not believe in government. I hope Charlie Baker is better than that. Massachusetts has been a leader in regulation in many areas. Gutting regulatory organizations in the manner described in the legislation is very foolish indeed. Many of those who would be retired are invaluable contributors. I hope you will stand up for sensible review for efficiency in partnership with the regulatory agencies. Many of them are in need of more support, not less!

Thanks for your attention in this matter.

Regards,

Martha Moore

From:
Sent:
To:
Subject:

[REDACTED] <noreply+cb0b2b8f04d40326@formstack.com>
Tuesday, October 27, 2015 8:48 AM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/27/15 8:47 AM

Name (optional):: Joseph Favaloro

Company/Organization (if applicable) (optional):: MWRA Advisory Board

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): :

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: Massachusetts Water Resources Authority
Department of Conservation and Recreation
Division of Water Supply Protection
Executive Office of Energy and Environmental Affairs

Describe the regulatory issue or observation:: To keep mountain biking from becoming an allowable recreational activity in the Ware River watershed.

Suggestions for improvements to the regulation:: Not allowing mountain biking in the Ware River watershed will help to keep the goal of protecting the drinking water supply.

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Wilmington • Winchester • Winthrop • Woburn • Worcester

October 26, 2015

Matthew A. Beaton, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114-2534

Dear Secretary Beaton:

On behalf of the 2.5 million residents spanning 50+ communities who receive their drinking water from the Quabbin/Ware/Wachusett Reservoirs, I respectfully request any and all attempts to include off-road mountain biking as an allowable recreational activity in the Ware watershed be rejected. Further, I advocate that you strengthen the enforcement of the rules that are in place, denying this illegal activity.

The Quabbin/Ware/Wachusett watersheds, first and foremost, are for the protection and insulation of our drinking water supply.

Watershed protection is the critical most direct line of defense in assuring that the drinking water for over 40% of the residents of Massachusetts are protected. It provides us with a natural forest-filtered safety-net around our drinking water supply.

Watershed protection was the single largest factor that swayed the federal courts to rule against the Environmental Protection Agency and allowed the Commonwealth of Massachusetts, DEP and MWRA a waiver of the Safe Drinking Water Act's requirement of filtration.

If we were forced to build a filtration plant today, costs could broach \$300+ million.

In addition, ratepayers of the MWRA fully fund the nearly \$30 million annual budget of the DCR's Division of Water Supply Protection (DWSP). Included in this amount is over \$8 million for payments in lieu of taxes for communities that surround the reservoirs and over \$1 million goes to Ware River communities.

In total, since 1990, MWRA ratepayers have funded over \$140 million in watershed land acquisitions or land-use restrictions to ensure long-term protection of the water supply.

DCR/MWRA have in fact worked closely with Advisory Committees (representatives from the North Worcester County Quabbin Anglers Association, the Quabbin Fishermen's Association, and the Swift River Valley Historical Society members on the Water Supply Protection Trust) in developing and periodically updating public access and land-management plans. The Ware River went through this public process in 2010.

DWSP rangers have documented off-road mountain biking in the Ware River Watershed forest that has caused erosion, stream bank degradation, and plant and wildlife destruction. Off-road mountain biking activity often involves construction of illegal ramps, bridges and towers. Damage has been found in highly sensitive ecological areas, including priority habitat for rare wildlife.


In conclusion, if "passive" recreational uses were to allow off-road mountain biking, it would, in fact, open "Pandora's Box" for any and all recreational activities and would be the beginning of the end for watershed protection. DWSP already allows a great deal of public access across the watersheds, more so than other unfiltered water supplies and even more than local filtered systems like Worcester and Springfield who have fences surrounding their watershed land.

No longer would the lands around our precious reservoirs be for watershed protection; they would make these sensitive areas parkland, seriously jeopardizing the drinking water of Greater Boston, ultimately becoming an extreme sport enthusiasts' playground at the expense of our drinking water protection and our ratepayers.

Dear Mr. Secretary, please work with us to ensure that the advocates for off-road mountain biking in the Ware River watershed are rejected as they try to make regulatory changes through EO562 and/or legislative changes, which would allow off-road mountain biking.

Thank you in advance for your consideration.

Sincerely,



Joseph E. Favaloro, Jr.
Executive Director

cc: Carol Sanchez, Commissioner, DCR
Fred Laskey, MWRA Executive Director
Jonathan Yeo, Director, Division of Water Supply Protection
Lou Taverna, MWRA Advisory Board Chair
Katherine Dunphy, Water Supply Protection Trust
Kathy Baskin, EOEPA Director of Water Policy

From: [REDACTED] <noreply+24a49764fc142a5a@formstack.com>
Sent: Wednesday, October 28, 2015 6:22 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/28/15 6:22 PM

Name (optional):: John DeFusco

Company/Organization (if applicable) (optional):: Babcock & Wilcox

Address (optional)::

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): : 225 CMR 14-16

General Regulatory Themes:: Building Codes/Accessibility Standards

Please list the Agency or Agencies affiliated with this regulation:: MA DOER

Describe the regulatory issue or observation::

The RPS qualification criteria, as it relates to biomass power, has two significant hurdles. The first is an efficiency hurdle, which is unrealistic to achieve based upon large scale, commercially available technology. The other issue is the premise the biomass power generation emits CO2 when in fact many consider it CO2 neutral.

The State's position on these issues has stymied the development of large scale biomass projects. Such projects have proven to be job creators in depressed areas, and unlike wind and solar are dispatchable plants, i.e., are not dependant on the wind blowing or sun shining to produce power.

B&W is a technology provider who has supplied renewable energy technology around the world. We believe that reconsidering the qualification criteria to allow for large scale biomass would be a benefit to the citizens of Massachusetts.

Suggestions for improvements to the regulation::

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Sent: Thursday, October 29, 2015 11:28 AM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/29/15 11:27 AM

Name (optional):: Allen Tobey

Company/Organization (if applicable) (optional)::

Address (optional):: [REDACTED]

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): : EO 562

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation::

Describe the regulatory issue or observation::

Expressing my support for EO 562 and it's suggested sun setting of rules and regulations that are not proven to be necessary. It is interesting to me to read Mass Audubon's statement that appears to argue against transparency while saying it supports it.

Suggestions for improvements to the regulation::

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From: [REDACTED] <noreply+602e4d45746a7177@formstack.com>
Sent: Thursday, October 29, 2015 2:31 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/29/15 2:30 PM

Name (optional):: Quinton Zondervan

Company/Organization (if applicable) (optional):: Green Cambridge, Inc.

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : 14, 15, all

General Regulatory Themes:: Energy and Utilities

Please list the Agency or Agencies affiliated with this regulation:: DOER

Describe the regulatory issue or observation:: The Renewable Portfolio Standard and the Energy Efficiency regulations are critically important components of our strategy to reaching the legislatively mandated emissions reductions for Massachusetts.

Suggestions for improvements to the regulation:: The RPS should be increased, a price on carbon should be established, and the purchase of electric vehicles should be incentivized. Currently the regulations are insufficient to achieve the 80% emissions reductions by 2050 mandated by the Global Warming Solutions Act.

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Subject:

[REDACTED]noreply+2e3e2563c9ead941@formstack.com>
Friday, October 30, 2015 7:41 AM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/30/15 7:41 AM

Name (optional):: Michael Ferrante

Company/Organization (if applicable) (optional):: Massachusetts Energy Marketers Association

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): :

General Regulatory Themes:: Energy and Utilities

Please list the Agency or Agencies affiliated with this regulation:: Department of Energy Resources

Describe the regulatory issue or observation::

In 2008 the Massachusetts legislature enacted An Act Relative to Clean Biofuels (Chapter 206 of the Acts of 2008) which modified Chapter 64A - section 1 and Chapter 94 - section 249H1/2 of MA General Laws. In June of 2010 the MA Department of Energy Resources (DOER) abruptly suspended the law just before its implementation date of July 1, and since that time DOER has taken no action to implement the statute.

Suggestions for improvements to the regulation::

The DOER should take immediate action to fully implement the 2008 Act Relative to Clean Biofuels. Biofuels are crucial to advancing the state's goals of reducing air emissions from petroleum products and improving the environmental quality of both home and commercial heating oil and on-and-off road diesel fuel. Despite the suspension of the Act, the heating oil industry in MA has aggressively and voluntarily embraced the use of clean biodiesel and biofuels. However, full implementation of the Act is needed for broad acceptance and use of clean, renewable biofuels.

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Friday, October 30, 2015 11:31 AM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/30/15 11:31 AM

Name (optional):: Kara Holmquist

Company/Organization (if applicable) (optional):: MSPCA

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : 330 CMR 12.00

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: Department of Agricultural Resources

Describe the regulatory issue or observation::

We believe that how the Department has applied the pet shop regulations to "off-site" adoption programs run by shelter and rescue organizations should be re-evaluated. The Department has interpreted these pet shop regulations to require shelters and rescues to isolate all dogs and cats in the store, even if they are there for the purposes of a "meet and greet." While we appreciate the animal health goals of the Department, this interpretation, and the recent policy statement that restricts off-site adoptions further (Policy Statement Regarding Rescue/Shelter Animals Being Offered for Sale/Adoption at Retail Outlets (March 13, 2015)), reduces opportunities for animals to find permanent homes in a way we feel is overly restrictive. The March statement requires animal-related business that partner with shelters or rescues to get a pet shop license; clearly something that regulation under 330 CMR 12.00 was not intended for.

Suggestions for improvements to the regulation::

Our recommendation: We suggest this policy be revisited and regulations with the input of shelter and rescues to change both to ensure that opportunities to prevent euthanasia are not hindered unnecessarily, while ensuring that the animal health concerns of the department are addressed.

We would be pleased to discuss any of these suggestions and draft more specific language.

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Sent:
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Subject:

[REDACTED] <[REDACTED]@formstack.com>
Friday, October 30, 2015 11:35 AM
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A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/30/15 11:35 AM

Name (optional):: Kara Holmquist

Company/Organization (if applicable) (optional):: MSPCA

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : 330 CMR 12.00 (12.05)

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: Department of Agricultural Resources

Describe the regulatory issue or observation:: We would oppose any efforts to weaken the protections for commercial pet shops -- the entities regulated under 330 CMR 12.00. We have suggestions that would enable these regulations to better protect animals and consumers.

Suggestions for improvements to the regulation::

Our recommendations:

(1) Improve the current remedy in 330 CMR 12.05(3) to provide a stronger remedy for people who purchase sick animals. We hear from families who discover they have purchased a sick puppy or kitten diagnosed by a veterinarian as unfit for purchase who choose to retain the puppy or kitten rather than return to the seller, but face veterinary bills, often high ones. We feel part of this remedy provision should allow a consumer to recover allow some of the cost of veterinary bills in this circumstance;

(2) In 12.05(2), requiring that the name, address, and United States Department of Agriculture (USDA) license number of the breeder and any broker who has had possession of the animal is displayed on the animal's cage so that a potential customer has this information to help make an informed purchasing decision.

We would be pleased to discuss any of these suggestions and draft more specific language.

From:
Sent:
To:
Subject:

[REDACTED] <noreply+3582b3c075015f6c@formstack.com>
Friday, October 30, 2015 10:40 PM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/30/15 10:40 PM

Name (optional):: Diane

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): :

General Regulatory Themes:: Building Codes/Accessibility Standards

Please list the Agency or Agencies affiliated with this regulation:: Dept. of Energy Resources

Describe the regulatory issue or observation:: I think this was sent to me because we have solar panels and sell our excess energy to our power company. I can't understand how this impacts us and if we have to "be compliant" and how or why. I need to read 135 pages of B.S. to sell my electricity???
Just tell me what I need to do differently and why.... in simple English.

Suggestions for improvements to the regulation:: Write CONCISELY in simple English.

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Sunday, November 01, 2015 11:19 PM
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A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 11/01/15 11:18 PM

Name (optional)::

Company/Organization (if applicable) (optional)::

Merrimack Valley Transportation Management Association

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): : 310CMR 7.16

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: Dept. of Environmental Protection

Describe the regulatory issue or observation::

The current MA DEP Rideshare Regulation (310CMR 7.16) requires companies to survey employees bi-annually and submit annual reports that identify the number of employee commute trips by mode with the goal of reducing drive-alone trips by 25%. This requires significant time and effort and in some instances cost (due to contracting with private consultants to survey and draft the annual report). Reductions of this size are typically achieved through substantial investment in transportation demand management (TDM) programs and incentives. This expenditure of employer resources (either via employees or consultant) is better spent providing outreach and incentives to yield reductions in single-occupant-vehicle commuting rather than surveying and reporting.

Suggestions for improvements to the regulation::

The inclusion of an Expedited Reporting/Certification Process (ER/CP) will adjust the focus of the regulation from surveying/reporting to implementation of TDM measures while providing actual annual statistical data to DEP from required reporters via program information submitted by TMAs to their members and periodic surveying. Inclusion of the ER/CP will provide for a more effective regulation that – as indicated by the results of the MassCommute DEP Rideshare Regulation survey of TMA and non-TMA members conducted in 2010 and 2011, will encourage required reporters to shift their financial resources from surveying/reporting to TDM programs and services.

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To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 11/01/15 11:22 PM

Name (optional)::

Company/Organization (if applicable) (optional)::

North Shore Transportation Management Association

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): : 310CMR 7.16

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: Department of Environmental Protection

Describe the regulatory issue or observation::

The current MA DEP Rideshare Regulation (310CMR 7.16) requires companies to survey employees bi-annually and submit annual reports that identify the number of employee commute trips by mode with the goal of reducing drive-alone trips by 25%. This requires significant time and effort and in some instances cost (due to contracting with private consultants to survey and draft the annual report). Reductions of this size are typically achieved through substantial investment in transportation demand management (TDM) programs and incentives. This expenditure of employer resources (either via employees or consultant) is better spent providing outreach and incentives to yield reductions in single-occupant-vehicle commuting rather than surveying and reporting.

Suggestions for improvements to the regulation::

The inclusion of an Expedited Reporting/Certification Process (ER/CP) will adjust the focus of the regulation from surveying/reporting to implementation of TDM measures while providing actual annual statistical data to DEP from required reporters via program information submitted by TMAs to their members and periodic surveying. Inclusion of the ER/CP will provide for a more effective regulation that – as indicated by the results of the MassCommute DEP Rideshare Regulation survey of TMA and non-TMA members conducted in 2010 and 2011, will encourage required reporters to shift their financial resources from surveying/reporting to TDM programs and services.

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Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 11/01/15 11:24 PM

Name (optional)::

Company/Organization (if applicable) (optional):: Junction Transportation Management Organization

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): : 310CMR 7.16

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: Department of Environmental Protection

Describe the regulatory issue or observation::

The current MA DEP Rideshare Regulation (310CMR 7.16) requires companies to survey employees bi-annually and submit annual reports that identify the number of employee commute trips by mode with the goal of reducing drive-alone trips by 25%. This requires significant time and effort and in some instances cost (due to contracting with private consultants to survey and draft the annual report). Reductions of this size are typically achieved through substantial investment in transportation demand management (TDM) programs and incentives. This expenditure of employer resources (either via employees or consultant) is better spent providing outreach and incentives to yield reductions in single-occupant-vehicle commuting rather than surveying and reporting.

Suggestions for improvements to the regulation::

The inclusion of an Expedited Reporting/Certification Process (ER/CP) will adjust the focus of the regulation from surveying/reporting to implementation of TDM measures while providing actual annual statistical data to DEP from required reporters via program information submitted by TMAs to their members and periodic surveying. Inclusion of the ER/CP will provide for a more effective regulation that – as indicated by the results of the MassCommute DEP Rideshare Regulation survey of TMA and non-TMA members conducted in 2010 and 2011, will encourage required reporters to shift their financial resources from surveying/reporting to TDM programs and services.

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[REDACTED] 8fbee9e2b121acc@formstack.com>
Tuesday, November 03, 2015 1:11 PM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 11/03/15 1:11 PM

Name (optional):: Brad Mitchell
Company/Organization (if applicable) (optional):: MA Farm Bureau Federation

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): : 330 CMR 14.00

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: MA DAR

Describe the regulatory issue or observation::

330 CMR 14.00 – This regulation defers to those definitions adopted by the American Association of Feed Control Officials AAFCO. We don't think it appropriate that definitions simply defer to an industry organization's definitions. These definitions are subject to change without the input and transparency demanded by law for regulations. This is highly inappropriate.

Suggestions for improvements to the regulation::

DAR should adopt definitions for these regulations through the appropriate regulatory process. Definitions should be included in the regulations

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Sent: Tuesday, November 03, 2015 1:09 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 11/03/15 1:09 PM

Name (optional):: Brad Mitchell

Company/Organization (if applicable) (optional):: MA Farm Bureau Federation

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : 330 CMR 9.0

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: MA DAR

Describe the regulatory issue or observation::

Prohibitions contained in these regulations relative to ribes are not based in science. They are poorly enforced and serve only to hinder the production of currants, for which there is a high demand.

Suggestions for improvements to the regulation::

DAR should completely do away with the town list as it was based on towns in which white pines were planted during the depression as part of the Conservation Corp. WPBR is a concern. DAR should allow species of black currants which have some demonstrated ability to resist WPBR. All other ribes varieties should be allowed. Only commercial plantings of ribes should be allowed and subject to periodic inspection. If infection is evident, DAR should require destruction or treatment as it sees fit.

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To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 11/03/15 1:24 PM

Name (optional):: Brad Mitchell

Company/Organization (if applicable) (optional):: MA Farm Bureau Federation

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : 330 CMR 18.00 – Lease (or “licensing” instead of “leasing”) should be allowed for a period exceeding five (5) years. There is significant up-front cost in making agricultural land viable. Five years is not always sufficient to guarantee a return on the investment of time and inputs. We would note that there are positions referenced in the regulations which have not existed in the Department for decades.

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: MA DAR

Describe the regulatory issue or observation:: This regulation oversees the leasing or licensing of state land for agricultural purposes. – Lease (or “licensing” instead of “leasing”) should be allowed for a period exceeding five (5) years. There is significant up-front cost in making agricultural land viable. Five years is not always sufficient to guarantee a return on the investment of time and inputs. We would note that there are positions referenced in the regulations which have not existed in the Department for decades. –

Suggestions for improvements to the regulation:: Leases (or “licensing” instead of “leasing”) of state land for agricultural purposes should be allowed for a period exceeding five (5) years. There is significant up-front cost in making agricultural land viable. Five years is not always sufficient to guarantee a return on the investment of time and inputs. We would note that there are positions referenced in the regulations which have not existed in the Department for decades.

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To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 11/03/15 1:35 PM

Name (optional)::	Brad Mitchell
Company/Organization (if applicable) (optional)::	MA Farm Bureau Federation
Address (optional)::	[REDACTED]
Primary Phone (optional)::	[REDACTED]
Email (optional)::	[REDACTED]
CMR Number (If known): :	330 CMR 18.00 – Lease (or “licensing” instead of “leasing”) should be allowed for a period exceeding five (5) years. There is significant up-front cost in making agricultural land viable. Five years is not always sufficient to guarantee a return on the investment of time and inputs. We would note that there are positions referenced in the regulations which have not existed in the Department for decades.
General Regulatory Themes::	Other
Please list the Agency or Agencies affiliated with this regulation::	MA DAR
Describe the regulatory issue or observation::	This regulation oversees the leasing or licensing of state land for agricultural purposes.– Lease (or “licensing” instead of “leasing”) should be allowed for a period exceeding five (5) years. There is significant up-front cost in making agricultural land viable. Five years is not always sufficient to guarantee a return on the investment of time and inputs. We would note that there are positions referenced in the regulations which have not existed in the Department for decades. –
Suggestions for improvements to the regulation::	Leases (or “licensing” instead of “leasing”) of state land for agricultural purposes should be allowed for a period exceeding five (5) years. There is significant up-front cost in making agricultural land viable. Five years is not always sufficient to guarantee a return on the investment of time and inputs. We would note that there are positions referenced in the regulations which have not existed in the Department for decades.

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Thursday, December 03, 2015 11:31 AM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 12/03/15 11:30 AM

Name (optional):: Stuart Beckley

Company/Organization (if applicable) (optional):: Town of Ware

Address (optional):: [REDACTED]

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): : 310 CMR 16.00

General Regulatory Themes:: Licensing and Permitting

Please list the Agency or Agencies affiliated with this regulation:: DEP/Local Board of Health

Describe the regulatory issue or observation::

An existing site that accepts Construction and Demolition debris for disposal, has applied for a site assignment to accept Solid Waste and Urban Fill. DEP has approved the Site assignment, so it has moved on to the Board of Health for the next level of approval. The regulated process is AWFUL. The Board is on its 6th night of a public hearing at 4 hours per night with no end in view. Rather than what one would consider a public hearing from any other local board, this is a trial. Each side presents witnesses and cross examination, clearly to build a case for when the other side appeals. There is rare guidance or limitation by the hearing officer. The lawyers bicker. Public attendance, because there is no opportunity for input, has dropped by 50% each night. We started at 36 observers, and yesterday had 1. There is grandstanding, questions about character, and disrespect. It is a waste of time for everyone except for the lawyers and the consultants. There is nothing being presented that provides additional information beyond the presented reports and peer reviews. The cost of this process to the Town and the applicant is enormous. This will be amplified when one party takes the other to court to appeal.

Suggestions for improvements to the regulation::

I come from the Planning world - Planning Boards, Conservation Commissions, ZBA's, Boards of Selectmen. The processes followed by these entities is much more straightforward and timely. Even the Chapter 40B process is less antagonistic. I recommend that the process be changed. Eliminate the formality. Eliminate the hearing officer.

Thank you for consideration and for this regulation review process.

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From:
Sent:
To:
Subject:

[REDACTED] <noreply+741f219c41b8c52f@formstack.com>
Friday, October 23, 2015 2:01 PM
RegReform (ANF)
A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/23/15 2:00 PM

Name (optional):: Andrew Fisk

Company/Organization (if applicable) (optional):: Connecticut River Watershed Council

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): :

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: EOEAA Secretariat given our organization's mission, but this comment applies to the entirety of the EO's purpose.

Describe the regulatory issue or observation::

OBSERVATION:

There are several policy changes that are being advanced as a result of this process, including a "business/competitive impact" review (cf Section 6 of EO 562) of any new regulation and the impact of "competitiveness" of existing regulations (cf Section 3 (5)). There is also a "regulatory impact form" being prepared as part of the checklist for the review of regulations. And further, existing rules to be reviewed are required to go through a cost - benefit analysis (Section 3 (2))

It is unclear to the public what these reviews or forms will entail and what criteria and analysis will be required of agencies when undertaking this review. In light of the spirit of EO 562 has the Administration determined that this review is not duplicative or unnecessary in light of the existing requirements of the state's administrative procedures act?

A short review of the number of different types of cost-benefit analyses (and their variants such as risk-benefit analysis) shows a wide variety of possible methodologies. As well as a wide variety of credible criticisms about their validity to making sound public policy judgements.

An important part of any regulatory reform effort is ensuring that

administrative agencies themselves have efficient and effective procedures that allow them to make reasonable and timely decisions regarding public policy that are then incorporated into rules. If the administrative procedures they are required to follow become themselves complicated and analytically impossible, then rulemaking grinds to a slow crawl or even halt.

While it is easy to caricature regulations, they are essential to creating a fair, transparent, and predictable environment for business, individuals, and government to act. Some parts of this EO hew admirably to this ambition, while other elements such as we note above are seemingly stalking horses to justify gutting regulatory protections that well serve the health, welfare, and public safety of the Commonwealth.

We have concerns that this admirable effort to ensure that regulations do not adversely affect "competitiveness" or do not have sufficient benefits is not well defined, vetted, or realistic. As such it remains in our mind a possible blunt instrument that can be wielded indiscriminately to cudgel long standing public policy with faulty or rushed "analysis."

Given a facial reading of the EO says that failure to achieve any of the above would result in the rule being "sunsetting", we are rightfully alarmed at how this process will happen for all existing rules over the course of one short year.

**Suggestions for
improvements to the
regulation::**

Please provide the public the opportunity to comment on these new administrative requirements being imposed on rulemaking by releasing all forms, guidance documents, procedures, or analyses to be used.

Describe the process by which a rule will be "sunsetting" in the event that it violates one of the criteria or fails to be reviewed within the scope of the EO's term.

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From: [REDACTED] <noreply+6054d1aa32d21aea@formstack.com>
Sent: Saturday, October 31, 2015 11:04 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/31/15 11:04 PM

Name (optional):: Pam Kelly
Company/Organization (if applicable) (optional):: Retired--Volunteer Greening Greenfield, MA
Address (optional)::
Primary Phone (optional)::
Email (optional):: [REDACTED]
CMR Number (If known): :

General Regulatory Themes:: Building Codes/Accessibility Standards

Please list the Agency or Agencies affiliated with this regulation::

Mass Save: This excellent program could be greatly improved IF the Auditors gave us a LONG TERM PLAN, that we were able to actualize over some years, bit by bit. The goals should at LEAST match the Stretch Code. R-60 roof. Aim for rooftop photovoltaics on houses that have good solar access, or community based solar for the homes that do NOT have solar access. Then, there is dealing with wall insulation and wet basements, that can or cannot be amended easily. And cleaning up dangerous substances like asbestos (for removal).

On my house had I installed the insulation recommended by Mass Save its roof would have been R 18, and I would have had to remove the R-18 insulation in order to get and R-60 hot roof---insulation with a standing seam metal roof and 6.75 Kw solar. Because I refused to follow the recommendations in order to get BETTER insulation, I was refused all rebates, and all 0% interest loans for the insulation. (I did get a \$750 rebate for the hot water system and a \$4,000 rebate for the solar system.)

Finally, we could look at the alternatives for energy efficient appliances (I have a heat pump hot water heater, and a Mitsubishi cold climate mini-split heat pump.) My 1950s Cape is a fossil fuel free building (No electric, no fossil fuel heat or cooling,) This is a great retirement program, and a hedge on inflation.

At the same time, the Public Utility can take advantage of the decentralized power generation. Solar owners are doing a great favor to the public which no longer needs to build another VERY EXPENSIVE power plant! I understand that if we build enough solar in neighborhoods, we (collectively) save about 30% just from centralized power plants' transmission losses.

The problem is WHERE DO OTHER PEOPLE GET THE CAPITAL TO MAKE THESE CHANGES? (In my family's case, we cashed in an Traditional IRA. The federal tax credit also paid the IRA taxes that would have been due.)

Because once the capitalized changes are made they can pay back the "loan" from just the savings on purchasing fossil fuel for electricity, & oil heat—plus providing a hedge for inevitable inflation!). Pam Kelly

Describe the regulatory issue or observation::

Mass Save uses REGGI Funds to offer incentives for the adoption of energy efficiency. But, because it is done BY the Public Utilities, that have a short term profit as a major value, it is actually poorly done. We may be the first in the nation for energy efficiency BUT we can do a LOT better, with better auditing, LOANS as opposed to only "gifted" rebates, etc.

MOVE these programs from supervision by the Public Utility to a GREEN BANK, leveraging green development and rebs by using public dollars to LEVERAGE 5-10 times as much private capital. Ct has done half a billion in 4 years, and they were the first Green Bank in the nation. Now there are Green Banks in many states: "Rhode Island Infrastructure Bank, CT Green Bank, also NY Hawaii, VT. and CA has the same principles but all directed at overcoming the split incentives between landlords (who do not pay utility bills) and tenants. So in Ca they have used the Green Bank model to create the CLEEN CENTER (benefitting multi-family apartments where our lower income people live.) WE NEED House Bill #3532 enacted. A green Bank for MA!

Pam Kelly

Pam

Suggestions for improvements to the regulation::

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From: noreply@formstack.com
Sent: Wednesday, July 22, 2015 11:56 AM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform
Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/22/15 11:52 AM

Name (optional)::

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): : 310 CMR 7.00 and 453 CMR 6.00

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: Department of Labor standards asbestos division
Department of environmental protection asbestos division

Describe the regulatory issue or observation:: These two organizations have been duplicating themselves for decades and it has always seemed that even though they use the exact same regulations they don't communicate with themselves and instead work to complicate the process of asbestos removal in order to cause fees and fines for no other purpose than to prolong thier existence.

Licensing fees have gone up 500% since we have been in business and they show no sign of slowing down. It now costs an average asbestos consultant about \$2500.00/year to become licensed.

As of late, these two organizations have chosen to start fining workers, contractors and laboratories in order pay thier budgets. These fines have brought many contractors to shutter thier doors, caused many workers and consultants to quit and have effectively caused an anti-business attitude.

Suggestions for easing regulatory compliance::

I feel that these regulations and organizations should be streamlined to make the process of asbestos removal quicker, transparent and inexpensive to the average consumer.

Please have someone look into the audacious behavior by these completely

self-serving aggressive organizations and regulations.

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From: [REDACTED] <noreply+d619a642486e2896@formstack.com>
Sent: Friday, July 10, 2015 12:15 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/10/15 12:15 PM

Name (optional):: James Welch

Company/Organization (if applicable) (optional)::

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): :

General Regulatory Themes:: Persons with Disabilities

Please list the Agency or Agencies affiliated with this regulation:: Department of Fish and Game.

Describe the regulatory issue or observation::

When I was a young man, severely disabled individuals, including amputees, were permitted to acquire their sporting/fishing licenses free of charge from the Commonwealth.
When I became disabled as a result of losing my leg, my physical therapist mentioned "The good news is you can now get your fishing license for free."
When I attempted to do so, I was told that after Desert Storm, the rules were modified to limit those only to individuals that had lost TWO LIMBS.
In other words, they are reserved for those people that can no longer hunt or fish.
Whoever decided to modify those requirements should be ashamed of themselves.

Suggestions for easing regulatory compliance::

Individuals in the Commonwealth of Massachusetts, who suffer from severe, permanent disabilities, should be shown the compassion that we once did in regards to sporting/fishing licenses.
While the past change in those regulations may have flown under the radar for most in this state, it has not gone un-noticed by the disabled community.
It is one more sting (in a long list) to those of us who feel discarded by

those folks working under Boston's Gold Dome".

Thank You for Your Time,
Jim Welch
Easthampton, MA

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[REDACTED]

From: [REDACTED] <noreply+183bb61bdf2516ec@formstack.com>
Sent: Tuesday, September 01, 2015 7:09 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform
Categories: Red Category

x

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 09/01/15 7:08 PM

Name (optional):: Chris McLaughlin

Company/Organization (if applicable) (optional):: Ms.

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : NONE. This is one problem.

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: MA Department of Agricultural Resources, Bureau of Animal Health (MDAR)

Describe the regulatory issue or observation::

Our small animal rescue non-profit has been shutdown by MDAR for 4 months today. The bullying, personal attacks and name calling I was subjected to required us finding a lawyer. I have proof of my accusations in written emails from the director himself and tape recordings of phone calls by the admin for the dept.

MDAR has been harassing and condemning animal rescue in the Commonwealth for the last 10 years and is using a 10 year old emergency order to attempt to shut us (rescue community) down permanently. We work with many states in the US and none come remotely close to the oversight, and outward disdain our state agency has for rescue.

For four months we have complied with every request made of us by MDAR. We have agreed to every request even though they seemingly have no law or mandate to support what they are asking us to comply with. We have written a 5 page "compliance plan" and on Friday I was told by our lawyer they kicked it back to us again (the fourth time) for editing and punctuation. And all the while the citizens of Massachusetts who have been waiting to adopt one of our dogs, can't. For absolutely NO GOOD REASON.

This has to stop. The Dept. of AG for our state has a horrible reputation and it's well deserved. My taxes pay for their biased incompetence and discriminatory practices. For years John Kenney was their lead investigator and he serves now, and did then, on the BOD for the largest dog breeders organization in our state. I worked for our state. That's a direct conflict of interest.

Our citizens deserve better. Our citizens need to be allowed to rescue a dog from anywhere they wish to. Our organization deserves to be running again and saving dogs and puppies and not being subjected to the abuse and oversight by an overzealous and rogue department. Four months. Is this where my taxes are going?

**Suggestions for easing
regulatory compliance::**

The MA DAR needs to work with the rescue and shelter community to develop less burdensome requirements. There may be a non-regulatory approach that will suffice. If regulations do need to be enacted, it needs to be clear that the statutory authority - other than a decade old Emergency order - exists. As well, MDAR needs to be investigated for bias and conflict of interest against the rescue community.

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From: [REDACTED] <noreply+699cabfdce726f8e@formstack.com>
Sent: Wednesday, August 19, 2015 1:39 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform
Categories: Red Category

 [REDACTED]

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 08/19/15 1:39 PM

Name (optional)::	Stephen Rafferty
Company/Organization (if applicable) (optional)::	Town of Falmouth - DPW Water Department
Address (optional)::	[REDACTED]
Primary Phone (optional)::	[REDACTED]
Email (optional)::	[REDACTED]
CMR Number (If known): :	310 CMR 36.00
General Regulatory Themes::	Environmental Protection
Please list the Agency or Agencies affiliated with this regulation::	Executive Office of Energy and Environmental Affairs Department of Environmental Protection Water Resource Commission
Describe the regulatory issue or observation::	The MassDEP issued the latest Water Management Act regulations on November 7, 2014. Here on the Cape we draw water from a sole source aquifer with minimal stream flow. The USGS models all confirm that the amount of water withdrawal is sustainable and that there are additional resources within the Sagamore Lens Aquifer. Yet the regulations, created for Statewide concerns sets historic baselines and establishes a series of regulatory hurdles, mitigation (with associated cost) and extensive expense for responding to the act, for complying with various features of the act. Our limited monetary resources are better spent, under regulatory supervision with upgrading the infrastructure and not in burdensome documentation of incremental conservation measures. The regulations and suggested mitigation appear to be both anti growth and to effectively put the burden of banning irrigation on individual communities.
Suggestions for easing regulatory compliance::	Drop the concept of baseline regulations. They are conceptually flawed. As a seasonal community a wet summer season artificially depresses usage during baseline years and does not reflect the true running average of usage on a per capita basis. Under the one size fits all approach and the mitigation

requirements any increase in the seasonal usage can only be offset through a ban on outdoor watering and flow limitation. We use less than 60 gpcd presently and draw less than 30% of the safe yield of the aquifer. Virtually all water usage goes back to groundwater and not to streams or interbasin. A program for reporting and verifying conservative usage and system improvement is all that is needed for this location.

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From: [REDACTED] <noreply+c97d5810ae0375b8@formstack.com>
Sent: Friday, July 31, 2015 3:30 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform
Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/31/15 3:29 PM

Name (optional):: Heidi Durand-Lenz
Company/Organization (if applicable) (optional):: Save One Soul Animal Rescue League
Address (optional)::
Primary Phone (optional):: [REDACTED]
Email (optional):: [REDACTED]
CMR Number (If known): : Emergency Order 1-AHO-05
General Regulatory Themes:: Licensing and Permitting
Please list the Agency or Agencies affiliated with this regulation:: MDAR - Massachusetts Department of Agriculture

Describe the regulatory issue or observation::

Requires that all dogs entering the state of Massachusetts be quarantined for a period of no less than 48 hours at a state approved isolation facility. At the end of 48 hours, each animal must be seen and examined by a licensed Massachusetts veterinarian. This is all at an additional cost to the adoption fee of an animal. MDAR does not maintain a list of their approved isolation facilities that they are willing and able to share with rescues needing this resource.

This ruling applies only to licensed rescues that operate in the state of Massachusetts. This order does not apply to breeders or to dogs imported to pet shops.

In addition, we would also like to see 330 CMR 12.07(1) reviewed as well. This regulation severely limits the impact that reputable and licensed rescues can have when trying to host dog adoption events at pet related businesses.

Suggestions for easing regulatory compliance::

With the work that has been done in the past 20 years in New England through tough leash laws, as well as spay and neutering education, we have seen a significant decrease in the number of stray and homeless dogs in our area. That is not to say that our shelters are empty. Rather, we are in fact in a

shortage of adoptable dogs. This shortage does not negate the demand for families wanting to add a pet to their family.

In other parts of the United States, the situation is not so good. Thousands of adoptable animals are killed each day for space in shelters where the population of homeless animals continues to soar.

There are many legitimate animal rescue groups, run entirely by volunteers, that work tirelessly to save these lives and connect them with a second chance in homes in New England.

We are not asking to be unregulated. Responsible animal rescue's have a duty to the animals in their care, as well as public safety. We are asking for meaningful regulations to be put in place that are on par with the expectations from all stakeholders.

While looking to other New England states that have recently revamped their animal import regulations, there has been a concerted effort for all parties to come to the table, be heard, and for the facts to set the course of the regulations,

Many rescues use transporters that are already regulated by stringent quarantine and animal housing considerations set forth by the USDA and the USDOT. These animals are traveling only after being examined by APHIS certified veterinarians.

The extra level of conformity at the state level presents a financial burden for the Massachusetts resident for the additional vetting and in-state quarantine that is currently mandated. Additionally, it is very common for a healthy dog to enter quarantine and come out with such health issues as urinary tract infections (UTI) and kennel cough.

Emergency Order 1-AHO-05 is currently 10 years old. Rescue has matured greatly in these past ten years. As a society, if we are to care about the plight of these animals that lose their lives daily through no fault of their own, then we must continually improve and communicate on ways we can make this a better and more efficient process.

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Sent: Friday, July 31, 2015 3:10 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform
Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/31/15 3:10 PM

Name (optional):: Craig Olson

Company/Organization (if applicable) (optional):: Save A Lab

Address (optional)::

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): : 330 CMR 12.07(1)

General Regulatory Themes:: Other

Please list the Agency or Agencies affiliated with this regulation:: MA Dept. of Agricultural Resources

Describe the regulatory issue or observation:: Requirement for obtaining a pet shop license for any "pet related business" for any adoption or meet n greet event even though that business may not sell animals...

Email from Michael Cahill (Director of Animal Health @ MDAR):
"330 CMR 12 refer specifically to the operation of a pet shop. They have no direct impact on rescues and shelters, unless the rescue or shelter animals are in a licensed pet shop. There have been a number of other animal related businesses that do not otherwise sell animals, but fall under the definition of a pet shop when inviting shelters and rescues in to make animals available to the public. Those businesses would be required to obtain a pet shop license and abide by the provisions of 330 CMR 12.

Businesses that are unrelated to animals, or the care of, like a bank or a shoe store, would not be required to obtain a pet shop license if they chose to invite a rescue or shelter to bring in animals and offer them to the public.

Other venues, like an event at a park or some other outdoor setting are an acceptable location for adoption events by shelters or rescues, provided the animals are protected from weather elements - sun, rain, heat, cold, etc. 330 CMR 12 would not apply.

These regulations have been in place since 1999. There were public hearings at that time. There were no registered shelters and rescues until 6 years later. I'll let Attorney Demakakos handle the question about public records related to the public hearings.

These regulations have always applied to all dogs and cats entering a pet store which will be offered to the public, regardless of their state of origin - even those from within Massachusetts. There was a faulty policy put in place by my predecessor, which actually caused the licensed pet shops to be in violation of the regulations. I had to reverse that policy to ensure we were not putting our licensees out of compliance."

**Suggestions for easing
regulatory compliance::**

exempt any arrangements for adoption or meet n greet events between non-profit rescues/shelters and ANY business (pet-related or not) from any licensing requirements AND additional quarantine restrictions.

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From: [REDACTED] <noreply+a86652a7a49b6a3b@formstack.com>
Sent: Wednesday, July 29, 2015 8:15 AM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/29/15 8:15 AM

Name (optional):: Jennifer Pederson

Company/Organization (if applicable) (optional):: Massachusetts Water Works Association

Address (optional):: [REDACTED]

Primary Phone (optional):: [REDACTED]

Email (optional):: [REDACTED]

CMR Number (If known): : 310 CMR 7.00 and 310 CMR 7.15

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: MA Executive Office of Energy and Environmental Affairs
MA Department of Labor Standards

Describe the regulatory issue or observation::

Our organization, Mass Water Works Association (MWWA) represents more than 1,100 waters supply professionals throughout Massachusetts. In June of 2014, MassDEP amended their asbestos regulations (310 CMR 7.00 and 310 CMR 7.15) and in doing so created some onerous requirements for municipalities with Asbestos Cement pipes (AC Pipe). AC Pipe work has been governed by a MassDEP guidance document since 2011, which stipulates the proper work practices and disposal requirements. In response to this guidance document, MWWA had to develop a course for water system workers and utility contractors and get it approved by the Department of Labor Standards (MA DLS) so that workers could be trained on these proper work practices. When done properly these work practices render the asbestos material non-friable, which essentially means that there are no fibers that become airborne and therefore a hazard is not created during the work. When MassDEP revised their regulations last year, they instituted requirements for pre-work surveys and post work visual inspections that would have been very costly for communities to adhere to. MassDEP acknowledged that these requirements were not as practical to AC Pipe work and has been working with MWWA to revise the existing guidance document to allow for enforcement forbearance. Recognizing that amending the guidance is just a short fix, the regulations must be revised to formally exclude municipalities

from these onerous requirements.

**Suggestions for easing
regulatory compliance::**

MassDEP and MA DLS should promptly revise their regulations and reduce the burden to municipalities who have to engage in repair and removal of AC Pipe. MassDEP and MA DLS should engage in a joint regulatory process to make repair and removal of AC Pipe an exempted work practice.

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From: [REDACTED] <noreply+efd9f43f012a6e7c@formstack.com>
Sent: Tuesday, July 28, 2015 4:28 PM
To: RegReform (ANF)
Subject: A Clearer Code: Regulatory Reform

Categories: Red Category

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/28/15 4:28 PM

Name (optional):: Randal Brown

Company/Organization (if applicable) (optional):: Southwick DPW

Address (optional):: [REDACTED]

Primary Phone (optional)::

Email (optional):: [REDACTED]

CMR Number (If known): : 310 CMR 36.00

General Regulatory Themes:: Environmental Protection

Please list the Agency or Agencies affiliated with this regulation:: Executive Office of Energy and Environmental Affairs; Department of Environmental Protection; Water Resources Commission; Department of Conservation and Recreation

Describe the regulatory issue or observation:: MassDEP promulgated revised Water Management Act regulations in November 2014. These new requirements for minimizing the impact of water withdrawals and mitigating additional water withdrawals above a historic baseline will be costly for communities to comply.

Communities will have to expend resources with no guarantee that the requested actions will have any environmental improvements. Further, communities may need to enact a moratorium to prohibit new water connections to minimize total withdrawals, potentially limiting future growth and development.

Most if not all Public Water Systems are struggling to meet their core mission of providing essential services to protect public health and safety due to the rising costs of repairs and maintenance, plus pressure from regulators to minimize increase costs to customers through usage fees. Investments need to be made in our water infrastructure, but this regulatory program stands to divert scarce resources away from needed improvements.

Suggestions for easing regulatory compliance::

Require MassDEP to drop the baseline concept from the regulations as it is arbitrary and goes well beyond what the statute (MGL 21G) contemplated.

Require mitigation only in those instances where it can be demonstrated that the water withdrawal is having an actual impact on streamflow and make sure that any mitigation which is required is truly commensurate with the impact and not based on one-size-fits-all criteria that are skewed against the public interest in ensuring a safe and adequate public water supply.

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