

MEPA Advisory Committee

February 25, 2022, 1:00PM-3:00PM

Remote Meeting

Organizations Represented/In Attendance

- Alternatives for Community & Environment
- American Council of Engineering Companies
- Boston Harbor Now
- Cape Cod Commission
- Central Massachusetts Regional Planning Commission
- Connecticut River Conservancy
- Conservation Law Foundation
- Environmental Business Council
- Eversource
- Green Roots
- MassAudubon
- MassRecycle
- Metropolitan Area Planning Council
- Massachusetts Association of Conservation Commissions
- Massachusetts Water Works Association
- NAIOP Commercial Real Estate Development Association of MA
- National Grid
- North American Indian Center of Boston (NAICOB)
- Solid Waste Association of North America (SWANA), New England Chapter

State agency/authority attendees

- CZM
- DCR
- DHCD
- EFSB
- EOHEd
- MassDEP
- MassDOT
- MassPort
- MWRA
- NHESP

Meeting Summary

Discussion of MEPA's "Phase II" regulatory review effort continued with review of MEPA thresholds (301 CMR 11.03), focusing on Transportation (11.03(6)), Energy (11.03(7)), and Air (11.03(8)). Regarding Transportation thresholds, there was discussion of clearing of mature trees as part of right-of-way (ROW) maintenance for roadways and rail corridors and whether these activities are currently covered by MEPA regulations. Prior proposals to create thresholds for transportation of hazardous materials, changes in highway lane designations, and changes in public transit service were reiterated. It was noted that the ENF/EIR thresholds for road widening appear low, given that the estimated impervious area created by the ¼ mile to 2 mile thresholds would fall under the ENF (5 acre) threshold for creation of new impervious area. The creation of new or expanded "taxiways" at airports was also noted as a low threshold.

Regarding Energy thresholds, committee members discussed the possibility of lowering thresholds related to energy generation. Potentially revising thresholds to address renewable energy versus fossil fuel based generation was also raised. It was noted that legislative proposals (H.3336/S.2135) would incorporate EJ considerations into Energy Facilities Siting Board (EFSB) review and lower the threshold for EFSB review from 100 MW to 35 MW. The need for large-scale infrastructure upgrades to transition to renewable energy generation and meet the state's greenhouse gas (GHG) emissions reduction goals was noted. Comments were made about the need to consider emerging technologies.

Regarding Air thresholds, suggestions were raised regarding lowering thresholds to better reflect the impacts of air pollution on public health (especially in EJ communities). It was noted that Air thresholds currently only address stationary sources of emissions; mobile sources are not currently addressed. MEPA noted the potential difficulties of independently setting air thresholds that differ from those set under MassDEP's permitting programs. MassDEP noted the availability of a public presentation, prepared as part of the Cumulative Impact Analysis (CIA) stakeholder process, that discusses MassDEP air quality permits and associated thresholds. This presentation is available [here](#). Other CIA presentations are also available [here](#).

Next Steps

The next meeting of the MEPA Advisory Committee will take place on Friday, March 4th at 1-3pm. The meeting will continue discussion of MEPA thresholds at 301 CMR 11.03, focusing on wetlands/waterways, water/wastewater, and solid waste (11.03(3)-(5), (9)). Power point presentations summarizing discussion at each meeting will be made available on the MEPA website at <https://www.mass.gov/info-details/mepa-advisory-committee>.