

November 14, 2022

Massachusetts Environmental Policy Act Office  
Director Tori Kim  
100 Cambridge Street, 10th floor  
Boston, MA 02114

**RE: Comments on Proposed MEPA Regulations**

Dear Director Kim,

Thank you for the opportunity to comment on the proposed regulations to the Massachusetts Environmental Policy Act (MEPA), (301 CMR 11.00). The undersigned thirty-four organizations are dedicated to protecting and restoring the state's rivers and streams, and collectively represent every corner of the Commonwealth. Together, we serve as important partners to state and municipal agencies, as well as private firms, in advancing local climate resilience projects.

**We strongly support exempting Ecological Restoration projects from MEPA review.** The implementation of the proposed regulation should adhere tightly to the Wetland Protection Act's definition of an Ecological Restoration project, "a project whose primary purpose is to restore or otherwise improve the natural capacity of a Resource Area(s) to protect and sustain the interests identified in M.G.L. c. 131, § 40, when such interests have been degraded or destroyed by anthropogenic influences." The sole purpose of these projects is to improve environmental quality in our rivers, streams, and wetlands. Such an exemption will allow these environmentally beneficial projects to occur at a faster pace, restoring the natural function of degraded ecosystems across the state. Nature-based solutions are a critical component of the Commonwealth's climate resilience strategy.

In order to protect our communities and infrastructure from the negative impacts of climate change, the state must restore wetland ecosystems as quickly as possible. These biodiverse areas provide multiple community benefits. Wetlands provide local protection against flooding during storms by absorbing excess water that would otherwise damage homes and streets. During a drought, that same water stored safely in wetlands is available to recharge waterways when they need it most. This summer, Massachusetts experienced widespread "critical" drought conditions that left many of our streams partially or completely dry. Wetlands also sequester large volumes of carbon, helping to reduce global warming and mitigating the impact of emissions from other sources. Restoring our wetlands will not only reduce the impacts of climate change - such as drought and flooding - but will help Massachusetts meet its carbon emissions goals.

Wetlands also provide crucial habitat for wildlife, including migratory birds, deer, beavers, and a variety of amphibians, and support our state's fishing economy. From 1991-2005, Massachusetts lost 1250 acres of its historic wetland areas due to human development.<sup>1</sup> As development pressures increase statewide,

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<sup>1</sup> Massachusetts Department of Environmental Protection. Wetland Loss Map Q&A.  
<https://www.mass.gov/guides/wetlands-loss-maps-qa#how-many-acres-of-wetlands-are-there-in-massachusetts-now?-how-many-acres-has-the-state-lost?>

our native wildlife have fewer places to retreat. Restoring wetlands is more important than ever for preserving this natural heritage, so communities must be able to pursue ecological restoration projects as quickly as possible.

We recognize and support the important role MEPA review plays in assessing the potential environmental impacts of development projects in Massachusetts, the majority of which do not aim to improve the environment. In these cases, it is in the public interest to take a careful look at environmental impacts before moving ahead, especially when these projects may adversely impact environmental justice communities.

However, MEPA was not intended to delay projects whose only purpose is to *improve* the environment. These projects already face uphill battles, as they don't turn a profit, and can be difficult to fund. The proposed regulation revisions will allow municipalities, non-profits, and restoration firms to avoid the additional costs and delay associated with MEPA review, making restoration work more financially viable and allowing it to happen more quickly.

Our organizations strongly support this proposed change, and request that the MEPA Office implement them as swiftly as possible so that communities can begin to take advantage of an expedited pathway to restoration.

Sincerely,

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