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UPDATED

Background Document on Proposed Regulations by Massachusetts Environmental Policy Act (MEPA) Office

MEPA Regulations at 301 CMR 11.00 et seq.

October 7, 2025

Regulatory Authority:
M.G.L. c. 30, §§ 61 to 62L

SUMMARY

The Massachusetts Environmental Policy Act (MEPA) Office within the Executive Office of Energy and Environmental Affairs (EEA) proposes to amend its regulations at 301 CMR 11.00. The amendments propose to streamline MEPA review of qualifying housing projects to align with actions to boost housing production as outlined in the Comprehensive Housing Plan for 2025-29, as well as corresponding recommendations of the Unlocking Housing Production Commission formed in 2024. The amendments also propose to streamline reviews for certain ecological restoration projects as defined in Wetlands Protection Act (WPA) regulations at 310 CMR 10.00. The above amendments reflect priorities of the Healey-Driscoll Administration to expedite the delivery of housing and resiliency projects while minimizing environmental impacts.

BACKGROUND

The MEPA program, originally enacted in 1972, requires projects for which action is needed by an "Agency" to undergo an environmental review process prior to the taking of such action. As stated in MEPA regulations, the purpose of the MEPA program is to "provide meaningful opportunities for public review of the potential environmental impacts of Projects for which Agency Action is required, and to assist each Agency in using (in addition to applying any other applicable statutory and regulatory standards and requirements) all feasible means to avoid Damage to the Environment or, to the extent Damage to the Environment cannot be avoided, to minimize and mitigate Damage to the Environment to the maximum extent practicable." 301 CMR 11.01(1)(a); see also M.G.L. c. 30, § 61 (general purpose); id. §§ 61-62 & 301 CMR 11.02 (relevant definitions).

MEPA regulations establish certain "review thresholds," which "identify categories of Projects or aspects thereof, of a nature, size or location that are likely, directly or indirectly, to cause Damage to the Environment." 301 CMR 11.01(2)(b)1. Provided Agency Action is required, the review thresholds determine the level of review required as follows: (i) a project that meets or exceeds an "ENF" threshold must file an Environmental Notification Form (ENF) for public review, and must undergo additional review if the Secretary of EEA so requires in his or her discretion; and (ii) a project that meets or exceeds a "mandatory EIR" threshold must file an ENF for public review, and subsequently must file one or more mandatory Environmental Impact Reports (EIRs) for public review. An ENF filing undergoes a 30-day review period (with 20 days for public comment), while each EIR is subject to a 37-day review period (with 30 days for public comment). See M.G.L. c. 30, §§ 62A-62C.[1]

Housing

On February 6, 2025, the Healey-Driscoll Administration released the first-ever Comprehensive Housing Plan for Massachusetts 2025-29 (the "Housing Plan"),[2] which recognizes the housing challenges facing the Commonwealth and outlines five overarching strategies for tackling the crisis. The Housing Plan acknowledges that "safe, appropriate housing is a fundamental human need," and notes that the lack of a stable housing supply can lead to environmental and public health consequences, such as increased traffic due to longer commutes from affordably priced homes and decreased mental and physical health due to housing and rent instability. To counteract these

[1] As discussed below, by operation of St. 2021, c. 8, § 57 (now reflected in 301 CMR 11.06(7)(b)), a project that meets or exceeds any MEPA review threshold ("ENF" or "EIR") must also file an EIR if the project is geographically located near one or more Environmental Justice Populations as defined in M.G.L. c. 30, § 62.

[2] https://www.mass.gov/info-details/a-home-for-everyone-massachusetts-statewide-housing-plan

challenges, the Housing Plan identifies an aggressive plan to add 222,000 year-round homes to the available housing stock over the next decade.

To advise the Administration on strategies to tackle the state's housing crisis, Governor Healey also established the Commission on Unlocking Housing Production (UHPC) through Executive Orders issued in conjunction with the Affordable Homes Act (St. 2024, c. 150). The UHPC convened for over a year, and released its report, "Building for Tomorrow," on February 21, 2025.[3] The report provides over 50 recommendations to increase the supply of housing and lower costs for Massachusetts residents. One recommendation urged the MEPA Office to take regulatory action to exempt housing projects from conducting an EIR if the EIR is solely required based on the project's proximity to one or more Environmental Justice (EJ) communities.[4] The UHPC Report also recommended that projects that are primarily housing but have a supportive commercial use (e.g., daycares, grocery stores, retail, etc.) should be similarly streamlined.

EEA is proposing amendments to the MEPA regulations that identify criteria for qualifying housing projects that are *not* presumed likely to cause damage to the environment. The criteria are based on core principles to identify characteristics of housing projects for which significant environmental impacts are avoided and minimized, such that additional MEPA review would provide limited benefit to the environment. These criteria are in place of otherwise-applicable MEPA thresholds and are organized as follows:

- Housing-centered (defined by minimum % residential use)
- Dense (defined by units per acre by housing type)
- Infill (defined by acreage limit on alteration of previously undeveloped land, with additional protection for lands with the highest natural resource value for carbon, farmland soil, and rare species)
- Flood and Erosion (defined by location related to flood and erosion hazard, in conjunction with compliance with best available industry standards for resilient design)
- Energy Efficient (defined by compliance with latest version of Massachusetts Stretch Energy Code)
- Adequately Served by Utilities (defined by absence of need for new interbasin transfer of water/wastewater (unless deemed insignificant) and/or new or expanded gas mains)
- Accessible (defined by average daily trips (adt) of new traffic, in conjunction with proximity to public transit)

MEPA projects that meet all criteria may be considered qualifying projects, regardless of whether they exceed any mandatory EIR thresholds at 301 CMR 11.03. Projects that do not exceed any mandatory EIR thresholds at 301 CMR 11.03, and which therefore have lower potential to cause environmental impacts, may be considered qualifying projects if they meet certain selected criteria. Qualifying projects subject to MEPA jurisdiction are not presumed likely or reasonably likely to cause damage to the environment and would require only an ENF filing. Consistent with existing regulations and practice, qualifying projects requiring only an ENF would complete review within 30 days after a public comment period (unless extended with consent of the proponent), unless EIR is required at the discretion of the Secretary.

[3] https://www.mass.gov/news/unlocking-housing-production-commission-releases-recommendations-for-producing-more-housing-lowering-costs

[4] Environmental Justice Population" is defined in M.G.L. c. 30, § 62 under four categories: Minority, Income, English Isolation, and a combined category of Minority and Income.

In addition to qualifying housing criteria, these amendments propose an exemption for single family home projects proposing one (1) dwelling unit, where the only required Agency Action is a Superseding Order of Conditions (SOC) from MassDEP. A review of MEPA project data from January 1, 2020 to June 30, 2025 indicates that 15 single family home projects with one dwelling unit were reviewed during that time period, of which 9 required review solely due the need for SOC resulting from an appeal of a local Order of Conditions. While these projects may involve some level of impact (typically, to coastal wetlands), MassDEP has sufficient authority to review those impacts during the SOC process. A narrow exemption for single family home projects where SOC is the only required Agency Action is proposed in such cases, where an added layer of MEPA review is not warranted.

NOTE TO REVIEWER:

The qualifying housing criteria are reproduced in summary fashion in **Appendix A** to this Background Document as a reference. In addition, maps depicting areas subject to the "Infill" and "Flood and Erosion" criteria, together with explanatory materials and guidance for delineating highest hazard areas will be posted to the MEPA website for comment.

Ecological Restoration

Since enactment of the Global Warming Solutions Act (GWSA) in 2008, the Commonwealth has engaged in extensive planning efforts to prepare for climate change, including issuance of Executive Order No. 569 in 2016, which directed EEA and the Executive Office of Public Safety and Security (EOPSS) to coordinate efforts to strengthen climate resilience. The Resilient Massachusetts Action Team (RMAT) was formed as an inter-agency steering committee responsible for implementation, monitoring, and maintenance of the state's resilience plan. Subsequently, the Commonwealth issued the 2018 Massachusetts Integrated State Hazard Mitigation and Climate Adaptation Plan (SHMCAP) and 2023 update (now titled, "ResilientMass Plan"); the 2022 Massachusetts Climate Change Assessment; and the 2025 ResilientCoast implementation plan. While various types of state agency actions are identified to support climate preparedness, ecological restoration plays an important role in restoring natural resources that have been degraded or destroyed by anthropogenic influences. Restoration efforts are critical in improving the state's adaptation and resiliency to future climate conditions, including by supporting biodiversity goals as recognized in Executive Order No. 618: *Biodiversity Conservation in Massachusetts.*

In September 2022, the MEPA Office proposed regulatory amendments to streamline projects that sought to qualify as "Ecological Restoration Projects" as defined in WPA regulations at 310 CMR 10.00, but *not* "Ecological Restoration Limited Projects" as described in 310 CMR 10.24(8) and 10.53(4). Those amendments, now reflected in 301 CMR 11.01(2)(b)4. (effective January 6, 2023), allow the filing of a simplified "Notice of Project" with the MEPA Office, in lieu of an ENF. Unless the Secretary requires an ENF at his or her discretion—or the local conservation commission ultimately denies a Restoration Order of Conditions for an Ecological Restoration Project—the project may proceed to permitting following close of comments on the Notice of Project.

These regulatory amendments propose to add streamlining for "Ecological Restoration Limited Projects" as defined in the WPA that do not qualify for existing streamlining in 301 CMR 11.01(2)(b)4. The proposal would be available to such projects that do not exceed any mandatory EIR threshold. As the very purpose of these projects is to restore and *improve* the natural environment, these Ecological Restoration Limited Projects are, as a category, not presumed "likely or reasonably likely to cause Damage to the Environment," provided an ENF is filed.

As itemized below, an additional technical clarification to the definition of "Replacement Project" in MEPA regulations would allow replacement activity, such as seawall and revetment repairs, to proceed without MEPA review, so long as the project does not add new or additional environmental impacts or require permitting for such increased impacts (i.e., excluding permits not related to the increase in impacts). The MEPA Office has issued advisory rulings adopting this interpretation, and this regulatory change is intended to align with those past interpretations.

Regulations and Planning

Since at least 1998, MEPA regulations have required MEPA review for certain projects that reflect only planning efforts without any development or construction activity proposed. In particular, 301 CMR 11.03(1)(b)7. requires MEPA review of any "[a]pproval in accordance with M.G.L. c. 121B of a New urban renewal plan or a major modification of an existing urban renewal plan." In addition, 301 CMR 11.03(12) requires MEPA review for new or revised regulations, of which a primary purpose is protecting against Damage to the Environment, that significantly reduce standards for environmental protection or means of public participation or access to information.

Several redevelopment agencies undertaking urban renewal plans (URPs) under M.G.L. c. 121B have indicated that the complexity of MEPA reviews has increased in recent years, in part, due to the effect of the Climate Roadmap Act, St. 2021, c. 8, § 57, which requires EIR for any project that is "likely to cause Damage to the Environment" and located within a Designated Geographic Area (DGA) of EJ Populations. Prior to 2021, urban renewal plans and other similar projects that exceed so-called "ENF" thresholds required the filing of an ENF for a 30-day review, and an EIR only at the discretion of the EEA Secretary. According to EOHLC (formerly, Department of Housing and Community Development), which approves URPs, modern-day URPs no longer present a specific development plan to be implemented by a redevelopment authority, and, thus, URPs themselves are unlikely to implicate any other review thresholds, such as land alteration or traffic generation, associated with development activity. For this reason, the UHPC Report included as a recommendation that the MEPA Office consider ways to expedite URP reviews, so that public actions to incentivize future development can proceed while retaining the requirement for future projects to undergo MEPA review under standard rules.

In consideration of this public input, these regulatory amendments seek public comment on whether and how to streamline review of URPs, as well as other similar planning initiatives. The draft regulations include a provision that would move URPs to the threshold category at 301 CMR 11.03(12) (previously titled, "Regulations") and provide that projects exceeding these thresholds are no longer presumed "likely or reasonably likely to cause Damage to the Environment," provided an ENF is filed. To qualify, the URP or other planning document could not independently propose any work, project or activity that exceeds any other review threshold at 301 CMR 11.03.

As itemized below, an additional amendment to 301 CMR 11.05(4) would make clear that existing requirements relative to facilitating meaningful public involvement by EJ Populations in project reviews, including a 45-day advance notification requirement, would apply to any project located within a DGA of EJ Populations, even if streamlined under the provisions above.[5]

[5] While advance notification currently applies only if a project does not seek streamlined EIR review, such as a Single or Rollover EIR, this narrow exemption will be removed to create a simplified rule applicable to all projects subject to MEPA review and located within a DGA of EJ Populations.

NOTE TO REVIEWER:

The MEPA Office is seeking comment on issuance of a Special Review Procedure (SRP) as an alternative to the proposed amendments to 301 CMR 11.03(1)(b)7. and (12) described above. MEPA proposes to adopt either the regulatory changes or an SRP, and plans to issue a draft SRP for comment. The draft SRP would be issued pursuant to 301 CMR 11.09. The SRP would apply to URPs approved by EOHLC and the Executive Office of Economic Development (EOED) and would provide that qualifying URPs that do not propose a master plan for development would require only an ENF, with EIR only at the discretion of the Secretary. The text of the draft SRP will be published in the **September 10, 2025** Environmental Monitor. MEPA is seeking comment concurrently with this regulatory proposal on whether the regulations or the SRP is preferred, and on the substance of the SRP. The MEPA Office, in consultation with EOHLC and EOED, will finalize its approach after considering comments.

DESCRIPTION OF PROPOSED AMENDMENTS

I. Streamlining for Housing and Mixed Use Projects (*New* 301 CMR 11.01(2)(c)1.-2.; *Amended* 301 CMR 11.01(2)(b)3., 11.05(4)(b) & 11.06(7)(b))

This regulatory amendment seeks to expedite state permitting for qualifying housing projects that meet criteria designed to avoid or minimize environmental impacts (see **Appendix A**). Accordingly, *new* 301 CMR 11.01(2)(c)1. and 2. are proposed to define categories of projects, including qualifying housing projects, that are not presumed "likely or reasonably likely to cause Damage to the Environment," notwithstanding that the project may exceed one or more review thresholds in 301 CMR 11.03, provided an ENF is filed in accordance with 301 CMR 11.01(2). The Secretary, after review of the ENF, would issue a written certificate in accordance with 301 CMR 11.06(7)(a).

In addition to *new* 301 CMR 11.01(2)(c)1. and 2., existing regulations at 301 CMR 11.01(2)(b)3. would be amended to add an exemption to MEPA review for any project consisting of one single family dwelling for which the only required Agency Action is a SOC from MassDEP. For the reasons discussed above, this is proposed as a streamlining measure for projects where an added layer of MEPA review does not appear warranted.

Other amendments include a change to existing regulations at 301 CMR 11.05(4)(b) to provide that existing requirements relative to public involvement measures for EJ Populations, including a 45-day advance notification requirement, would continue to apply to qualifying housing projects that are located within a DGA of an EJ Population. In addition, existing 301 CMR 11.06(7)(b) would be amended to make clear that, with the exception of the new project categories identified in 301 CMR 11.01(2)(c), other projects will continue to require EIR if proposed within a DGA of EJ Populations, consistent with the Climate Roadmap Act.

II. Streamlining for Ecological Restoration Limited Projects (*New* 301 CMR 11.01(2)(c)3.; *Amended* 301 CMR 11.05(4)(b) & 11.06(7)(b))

This regulatory amendment seeks to expand streamlining options for "Ecological Restoration Limited Projects" under 310 CMR 10.24(8) or 10.53(4), which do not qualify for streamlining under 301 CMR 11.01(2)(b)4., but whose "primary purpose [nevertheless] is to restore or otherwise improve the natural capacity of a Resource Area(s) to protect and sustain the interests identified in [the WPA], when such interests have been degraded or destroyed by anthropogenic influences." 310 CMR 10.04. Because the purpose of these projects is to restore natural ecological functions and *improve* the environment, it is

reasonable to state in regulation that these projects are not presumed likely or reasonably likely to cause Damage to the Environment, so long as the project does not exceed mandatory EIR thresholds and an ENF is filed. See *new* 301 CMR 11.01(2)(c)3.

As with other amendments described above, existing provisions at 301 CMR 11.05(4)(b) would be amended to provide that existing requirements relative to public involvement measures for EJ Populations, including a 45-day advance notification requirement, would continue to apply to qualifying Ecological Restoration Limited Projects located within a DGA of EJ Populations. Existing 301 CMR 11.06(7)(b) would be amended to make clear that, with the exception of the new project categories subject to streamlining in 301 CMR 11.01(2)(c), other projects will continue to require EIR if proposed within a DGA of EJ Populations, consistent with the Climate Roadmap Act.

III. Streamlining for Regulations and Planning with No Independent Work, Activity or Project (*New* 301 CMR 11.01(2)(c)4.; *Amended* 301 CMR 11.03(1)(b)7. & (12); *Amended* 301 CMR 11.05(4)(b))

This regulatory amendment seeks to streamline projects, including urban renewal plans and similar planning initiatives, where the project consists of a planning document with no independent work, project or activity proposed. This responds to public input indicating that new EIR requirements imposed under the Climate Roadmap Act hinder the ability to take public actions to incentivize future development, while retaining the requirement for future projects to undergo MEPA review under standard rules. This change would provide that qualifying URP and other similar planning reviews that trigger no other threshold are not likely or reasonably likely to cause damage to the environment and require only ENF review, except at the discretion of the EEA Secretary.

To faciliate this change, URP approvals, now included in 301 CMR 11.03(1)(b)7., will be moved to 301 CMR 11.03(12), and the latter category renamed, "Regulations and Planning." A new 301 CMR 11.01(2)(c)4. is proposed that would provide that these projects are not presumed likely or reasonably likely to cause damage to the environment. In addition, as with qualifying housing and ecological restoration, existing provisions at 301 CMR 11.05(4)(b) would be amended to retain EJ public involvement requirements for newly streamlined projects located within a DGA of EJ Populations.

IV. Transition Rules (301 CMR 11.17)

This proposed amendment states that the changes included in this regulatory proposal shall apply to any new project for which an ENF (or expanded ENF) is filed following the effective date of the amendments. Specifically, all new projects filed on or after the applicable deadline for publication in the Environmental Monitor, established under 301 CMR 11.15(2)(b), will be subject to the new rules.

SMALL BUSINESS IMPACT

These proposed amendments to 301 CMR 11.00 are not anticipated to have an impact on small businesses, as the amendments are intended to streamline MEPA procedures and will remove the EIR requirement for certain projects. Project proponents include small businesses undertaking various projects that are subject to MEPA review due to the presence of "Agency Actions." A wide range of private entities engage in the MEPA process as project proponents, though the regulatory amendments herein would mainly impact entities undertaking housing/mixed use and ecological restoration projects, including real estate developers, municipalities, and nonprofit organizations. Many of these proponents may qualify as small businesses.

MUNICIPAL IMPACT

Municipalities participate as both project proponents and commenters in the MEPA review process. As with small businesses, these proposed amendments to 301 CMR 11.00 are not anticipated to have an impact on municipalities, as the amendments are intended to streamline MEPA procedures and will remove the EIR requirement for certain projects. Municipalities undertaking ecological restoration activities, as well as local redevelopment authorities proposing urban renewal plans, would benefit from the proposed streamlining provisions.

PUBLIC PARTICIPATION

The MEPA Office originally launched a regulatory review effort in 2021, which culminated in an extensive regulatory revision to implement the requirements of the Climate Roadmap Act. A MEPA Advisory Committee was formed in September 2021 to provide input and advice to inform this effort. Following the 2021 regulatory revisions, the MEPA Office launched a "Phase 2" regulatory review effort at the request of stakeholders to deliberate on additional changes that could be considered to improve the MEPA process. The MEPA Advisory Committee, consisting of over 20 stakeholder groups and key agency representatives, met on a biweekly to monthly basis in early 2022 to discuss the entirety of MEPA regulations and associated policies and protocols. That process resulted in a second set of regulatory changes made effective on January 6, 2023.

With respect to the regulatory amendment proposed herein, the MEPA Office participated in numerous stakeholder meetings in 2024-25, including by attending meetings of the UHPC and additional stakeholder meetings organized by EEA and MassDEP with respect to permit streamlining for resiliency and other project types. The MEPA Office also plans to convene the MEPA Advisory Committee during the public comment period at the date and time listed below.

Remote (virtual) public hearings on this M.G.L. c. 30A regulatory package will be held via Zoom at the following dates and times:

- October 14, 2025, 2-4pm (register at link below):
  https://zoom.us/meeting/register/-CnBWqcNRIalgqBXg0q0Ow

- October 15, 2025, 2-4pm (register at link below):
  https://zoom.us/meeting/register/0mclX2LjRZGerGc4O_QFbg

- October 15, 2025, 6:30-8pm (register at link below):
  https://zoom.us/meeting/register/fF6MvpqrRFes9IQrkwfVxw

- October 22, 2025, 2-4pm (register at link below):

https://zoom.us/meeting/register/Z8_GPeNFS16yTewL1H04YQ

A meeting of the MEPA Advisory Committee is also scheduled at the following date and time:

- October 23, 2025, 2-4pm (register at link below): https://zoom.us/meeting/register/LmKYMsvNRy2p1MWDffN3HA

Following public hearings, written comments will be accepted until **5:00pm on November 10, 2025** by email at MEPA-regs@mass.gov, or by mail to MEPA Office, Attn: MEPA Director, 100 Cambridge Street, 10th fl., Boston, MA 02114. A copy of the proposed regulations will be made available on the MEPA website at https://www.mass.gov/regulations/301-CMR-1100-mepa-regulations, or may be obtained by sending an email to MEPA-regs@mass.gov.

To request written language translation or oral interpretation at public hearings, please contact MEPA-regs@mass.gov (insert "Language Translation Request" in subject line). A summary of these regulatory amendments, together with a notice of public hearing dates, were posted in Spanish, Portuguese, Chinese, Haitian Creole, and Vietnamese on the MEPA website at https://www.mass.gov/regulations/301-CMR-1100-mepa-regulations. Oral interpretation in the above languages will be provided at the public hearings. A request for oral interpretation in other languages must be received at least three (3) business days prior to the public hearing date at which the interpretation is requested. To request other reasonable accommodations, contact Melixza Esenyie, ADA and Diversity Manager at Melixza.Esenyie2@mass.gov or 617-626-1282.

To subscribe and receive regular updates regarding the MEPA regulatory review effort, please send a blank email to subscribe-mepa_reg_review@listserv.state.ma.us. Please ensure that both the subject line and the body of the email are blank and that the email does not contain an automatic signature or your email address will not be added to the listserv.

APPENDIX A

Qualifying Housing Criteria (in *new* 301 CMR 11.01(2)(c)1.-2.)[6]

Criterion	Metric
a. Housing-centered	Devotes 67% or more of the gross floor area of the Project to residential uses, with the remainder devoted to supportive commercial uses. Gross floor area shall not include parking, utility space, and other ancillary spaces not intended for exclusive occupancy by the user or tenant.
b. Dense	Achieves density of: • at least 8 units per acre for single-family; • at least 12 units per acre for two- or three-family buildings; and • at least 15 units per acre for multi-family housing of more than three-family residential uses
c. Infill	Alters up to 5 acres of previously undeveloped land. Redevelopment of previously developed land, or redevelopment of land within or appurtenant to an office or industrial park or large institutional property, shall not be defined as alteration of previously undeveloped land. **OR** Alters up to 10 acres of previously undeveloped land and the Project proposes a tree retention and replanting plan that demonstrates measures to minimize tree removal and replace removed trees to the maximum extent practicable. Redevelopment of previously developed land, or redevelopment of land within or appurtenant to an office or industrial park or large institutional property, shall not be defined as alteration of previously undeveloped land. **AND** No portion of the Project site shall include any land where projected total ecosystem carbon stocks for the Project site are in the top quintile statewide, as defined by the United States Forest Service's National Forest Carbon Monitoring System, Total Ecosystem Carbon in 2070 data layer, or a comparable data source that the Secretary may adopt through guidance; any designated priority habitat, as defined in 321 CMR 10.02; or any land with soils classified as prime farmland by the United States Department of Agriculture which is currently in active agricultural use or was in active agricultural use within the past five years.

[6] Housing projects that do not exceed mandatory EIR thresholds must meet applicable criteria (a), (d), and (e), and may satisfy EITHER (b) (density) OR (c) (infill). For redevelopment, these projects may also be located within the designated highest hazard areas for flood and erosion (criterion (d)), provided that the project complies with the American Society of Civil Engineers Guidance on Structural Safety in Flood Areas (ASCE 24-24) and demonstrates the absence of off-site flood impacts on adjacent properties and infrastructure.

d. Flood and Erosion	**For Any Project:** Located outside highest hazard areas and outside the Special Flood Hazard Area as defined by the Wetlands Protection Act regulations at 310 CMR 10.00. **OR** **If Redevelopment**: Located outside highest hazard areas and complies with the American Society of Civil Engineers Guidance on Structural Safety in Flood Areas (ASCE 24-24). **OR** **If Redevelopment and does not exceed any mandatory EIR threshold:** Complies with the American Society of Civil Engineers Guidance on Structural Safety in Flood Areas (ASCE 24-24) and demonstrates absence of off-site flood impacts. Redevelopment means replacement, rehabilitation, or expansion of existing structures, improvement of existing roads or reuse of degraded or previously developed areas. Highest hazard areas shall be those areas subject to high erosion or with exposure to flooding characterized by factors such as high-velocity flows, high-velocity wave action, breaking wave heights, sheet flow and scour and flash flooding. Such highest hazard areas shall include, but not be limited to, the following areas as defined by the Federal Emergency Management Agency: V, Coastal A and AO zones on a Flood Insurance Rate Map (FIRM) and floodways and A zones along the banks of waterbodies. The Secretary shall set forth in guidance methodology for delineating highest hazard areas.
e. Energy Efficient	Complies with the Massachusetts Stretch Energy Code adopted pursuant to Chapter 169 of the Acts of 2008
f. Adequately served by utilities	1. Does not require approval of a new interbasin transfer of water or wastewater, other than a transfer determined to be insignificant pursuant to the Interbasin Transfer Act and implementing regulations at 313 CMR 4.00. **AND** 2. Does not require a new or expanded gas main
g. Accessible	1. Generates not more than 3,000 New unadjusted average daily trips (adt) on roadways leading to a single location. **OR** 2. Generates not more than 6,000 New unadjusted adt on roadways leading to a single location and (i) located in a transit-oriented development district or mixed-use district; or (ii) ≤ ½ mile of a transit stop with an existing or proposed safe and accessible path of travel to the transit stop. Projects with over 3,000 New adt must consult with the Massachusetts Department of Transportation and Massachusetts Bay Transit Authority prior to filing the ENF.