



Via email: [MEPA-regs@mass.gov](mailto:MEPA-regs@mass.gov)  
Rebecca Tepper, Secretary  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street  
10th Floor  
Boston, MA 02114

Re: Proposed Amendments to 301 CMR 11.00

November 10, 2025

Dear Secretary Tepper:

This letter is to provide comments on the proposed regulatory amendments to 301 CMR 11.00, which endeavor to streamline MEPA review of qualifying housing and mixed-use projects to meet the Commonwealth's housing production goals. We support and appreciate the administration's efforts to address regulatory barriers to building housing and to propose these measures. While the draft MEPA rules offer opportunities to streamline MEPA review, we believe the measures need to go further. We offer the following comments for consideration.

- Eliminate the mandatory requirement for a full Environmental Impact Review in 310 CMR 11.06(7) for Housing Projects within one-mile Designated Geographic Areas of Environmental Justice Areas, and especially for housing projects serving Gateway Cities. The one-mile radius brings in too many projects that are not likely to have significant negative impacts on EJ populations and needs to be re-evaluated. Housing projects in Massachusetts already have significant local review and opportunity for public input through reviews by planning and zoning boards and, where applicable, conservation commissions. These housing projects are different than commercial or industrial projects obtaining state issued permits where the state agency action might be the only approval needed. A mandatory EIR, and accompanying EJ protocol requirements, adds process of

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limited value for housing projects which are already subject to significant local review. As drafted, the regulatory revisions would remove the mandatory EIR requirements only for housing projects meeting the seven criteria listed in proposed section 11.02(c). The limitations include the size of housing projects. Larger projects that meet the density goals of a given community should be allowed regardless of the acreage of the parcels i.e. there should not be a limit of five or ten acres.

- Eliminate the mandatory threshold for MEPA review for state financial assistance for projects. This assistance is typically submitted by the municipality on its own or in cooperation with a project proponent. Given the extensive review during the application process, MEPA review is not necessary.
- The proposal does not address one of the main reasons why so many projects end up requiring MEPA review, and in many cases full EIRs. An appeal of a Conservation Commission Order triggers MEPA review, even when a Superseding Order of Conditions is the only state approval required. While the issues in wetlands related appeals are typically limited to those before the wetlands program at DEP, the requirement for MEPA review makes the process involved, time consuming and expensive. The logic of exempting one single family home from review thresholds, as proposed in these regulatory changes, should apply to larger projects as well. We would propose to amend Section 11.03(3)(b)3 to exclude all housing projects from review thresholds for which the only required Agency Action is a Superseding Order of Conditions from the Massachusetts Department of Environmental Protection. These issues are more appropriately suited to be handled by MassDEP and can be well addressed in their review of the Order of Conditions and issuance of Superseding Orders for a given project, should that be appropriate.
- The draft proposal addresses unintended recent obstacles to reviewing Urban Renewal Plans in Gateway Cities, the adopted rules should go further by providing additional relief specifically for housing in Gateway Cities that otherwise meet local planning goals.

If desired, I would be happy to discuss these comments with you further. Thank you in advance for your consideration of our thoughts on the proposed amendments.

Sincerely,



James Lambert

Managing Director

Wood Partners

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