

Comments submitted on behalf of Clark Ziegler, Executive Director, Massachusetts Housing Partnership on Proposed Amendments to 301 CMR 11.00: MEPA Regulations

Submitted to MEPA Office, Attn: MEPA Director, MEPA-regs@mass.gov

November 7, 2025

On behalf of the Massachusetts Housing Partnership (MHP), thank you for the opportunity to submit written comments regarding the proposed amendments to 301 CMR 11.00: MEPA Regulations.

MHP is a quasi-public state agency that envisions a world in which everyone has equitable access to a safe, healthy, and affordable home in a thriving community. As a leader and innovator, MHP expands access to affordable housing and promotes housing equity in communities across the Commonwealth.

MHP has worked with almost all of the state's 351 cities and towns to advance state and local housing goals. Our team understands that to address the climate crisis in an equitable way, we must ensure that housing production aligns with other critical environmental priorities. A successful and sustainable Commonwealth must find alignment among state priorities for housing, transportation, climate, and environmental protection.

I had an opportunity to serve last year on the Unlocking Housing Production Commission (UHPC), which was tasked by the governor to examine how state and local laws, regulations, and practices can be revised to increase the supply of housing. As you know, the state also released its first-ever comprehensive housing plan in February which calls for the production of an additional 222,000 housing units by 2035. The UHPC report built on that statewide plan and created a blueprint for how to achieve our necessary housing growth in a sustainable and equitable manner.

One of the recommendations in the report speaks specifically to the requirement for projects that trigger MEPA review within one mile of an Environmental Justice (EJ) Population. These projects currently require an Environmental Impact Report (EIR), rather than just an Environmental Notification Form (ENF), and would not trigger an EIR but for their proximity to an EJ community ([UHPC Report](#), page 58).

As you know, EIRs are more time-intensive than ENFs, typically taking 9 to 12 months as opposed to just 30 to 60 days, and much more costly, ranging from \$350,000 to \$1 million. This additional time and cost may render many projects infeasible. It also discourages developers from pursuing much-needed housing development in EJ communities -- precisely the communities that most desperately need housing -- due to the costs and risks involved. At the same time, it is critical to ensure that EJ communities have meaningful input on proposed housing developments and do not bear a disproportionate burden of development impacts.

The UHPC recommended that MEPA should exempt certain housing projects from EIRs if the EIR requirement is solely based on the project's proximity to an EJ community. Instead, the UHPC recommended that the project should be required to conduct an ENF, with the same level of outreach to the EJ community as required by the existing EIR process.

MHP is pleased to see the proposed amendments to the 301 CMR 11.00: MEPA Regulations to address the UHPC's concern while continuing to protect EJ communities. By identifying Qualifying Housing Criteria that will allow projects to utilize the ENF filing, with safeguards to ensure lower potential to cause environmental impacts, the proposed regulatory amendments will streamline the process and result in more homes, faster.

Beyond allowing more homes in the places we need them, and for the people who need them most desperately, this proposed amendment will preserve stringent environmental protections, continue to foster strong community engagement, and provide a balanced approach to the dual goals of environmental justice and housing equity.

Thank you for your consideration of these comments and please let me know if we can provide any additional information.