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Director Tori Kim
Massachusetts Environmental Policy Act Office
MEPA Office, 100 Cambridge Street, Suite 900, Boston, MA 02114
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RE: A Better City's Comments on Proposed Updates to 301 CMR 11.00

Dear Director Kim:

On behalf of A Better City's 130 member businesses and institutions, thank you for the opportunity to provide comments on the draft 301 CMR 11.00 amendments to MEPA regulations. A Better City appreciates the MEPA Office's vision and leadership, in proposing regulatory amendments to help to streamline MEPA review of certain housing and mixed-use projects needed to meet our housing production goals, as well as conceptual urban renewal plans and ecological restoration projects.

A Better City supports the overarching goal of streamlining the MEPA review process to expedite crucial housing and mixed-use development, strategic downtown revitalization efforts, and vital ecological restoration and resilience projects, without compromising the intent of the MEPA process. A Better City encourages the MEPA Office to look beyond the amendments proposed in 301 CMR 11.00 and consider additional changes to expedite the development of both public and private projects to expand, modernize, and protect our critical transportation, utilities, and flood resilience infrastructure. From electric bus maintenance facilities and flood-resilient bridges to new interconnections and substations, to expanded culverts, berms, and catch basins, these are the tactical projects needed to protect our communities and economy alike from the worsening impacts of climate change.

Regarding 301 CMR 11.00, A Better City offers recommendations regarding: supporting urban forestry and green infrastructure projects; discouraging development of land with high carbon stock; ensuring alignment of the special flood hazard area and high hazard areas with best-available science for Massachusetts; supporting transportation demand management; incorporating climate resilience into ecological restoration projects; clarifying transition rules timelines; and ensuring robust community engagement and environmental regulations alongside streamlining.

A Better City remains eager to partner with the MEPA Office on the implementation of regulatory amendments, as well as ongoing conversations around addressing challenges for climate resilient project permitting. Thank you for your leadership and partnership.

Sincerely,

A handwritten signature in black ink, appearing to read 'Isabella Gambill'.

Isabella Gambill
Assistant Director of Climate, Energy, & Resilience
A Better City
Cc: Mia Mansfield, Alison Brizius, Deanna Moran, Katherine Antos

A BETTER CITY'S RECOMMENDATIONS FOR THE PROPOSED REGULATORY UPDATES TO MEPA

Recommendations RE: Amendments for Projects Not Presumed Likely or Reasonably Likely to Cause Damage to the Environment

- **Supporting Urban Forestry and Green Infrastructure Projects:** A Better City supports the amendments clarifying that projects altering up to 5 acres of previously undeveloped land or up to 10 acres of previously undeveloped land if the project seeks to minimize tree removal and replace removed trees to the extent practicable, are not seen as likely or reasonably likely to cause environmental damage, and therefore qualify for permit streamlining, and suggest also including additional projects that create new or enhanced green infrastructure and related co-benefits.
 - In addition to projects that minimize tree removal and maximize tree replacement when needed and practicable, A Better City recommends including projects that leverage green infrastructure for stormwater retention, heat relief, and biodiversity improvement. Particularly for properties in which tree canopy expansion may be challenging, green infrastructure projects can still include significant ecological benefits. It would also be helpful to include projects that prioritize tree canopy and green infrastructure expansion in projects up to 5 acres of previously undeveloped land or 10 acres of previously undeveloped land as projects not likely to cause environmental damage. When possible, such projects should prioritize nature-based solutions in publicly accessible private spaces, providing co-benefits to local communities, in addition to ecosystems, whenever possible.
- **Discouraging Development of Land with High Carbon Stock:** A Better City supports the amendments encouraging projects to avoid land development where total ecosystem carbon stocks for the project site are in the top quintile statewide—and recommends fast-tracking projects that prioritize carbon sequestration.
 - Beyond avoidance of project development on sites in the top quintile for carbon stock in the state, A Better City recommends amending the language to streamline and incentivize projects that prioritize carbon sequestration when practicable, either by minimizing tree removal and/or soil disturbance when possible, or through other means of carbon sequestration via nature-based solutions. In addition to referencing the National Forest Carbon Monitoring System data on carbon stock in Massachusetts, A Better City recommends referencing the Harvard Forest's [February 2025 Forest Carbon Study](#) Commissioned by the Executive Office of Energy and Environmental Affairs, for data on carbon stock and sequestration in Massachusetts. Finally, it would be helpful for the MEPA Office to clarify best practices for carbon stock monitoring in Massachusetts, and how such data can be stewarded in partnership with local landowners, developers, academic institutions, community-based organizations, and indigenous groups.
- **Ensuring Alignment of the Special Flood Hazard Area and Highest Hazard Areas with Best-Available Science for Massachusetts:** A Better City understands that the Special Flood Hazard Area as it relates to MEPA amendments references the Wetlands Protection Act 310 CMR 10.00, as well as the American Society of Civil Engineers' Guidance on Structural Safety in Flood Areas, but has some concern that this section does not consider alignment with state-level datasets on flood hazard areas referenced in ResilientMass and the ResilientCoasts Initiative, and other high hazard areas on the frontline of climate risks.
 - A Better City recommends clarifying that the Special Flood Hazard Area will be defined using the best-available science for Massachusetts' flood hazard areas, as clarified in the 2023 ResilientMass Plan (ResilientMass), as well as the ResilientCoasts Initiative. For high hazard areas in Massachusetts, A Better City recommends ensuring that proposed amendments to MEPA align with the broader climate hazards and subsequent recommendations of ResilientMass.
- **Supporting Transportation Demand Management:** A Better City supports the effort to streamline permitting for projects that seek to mitigate traffic impacts via average daily trips (ADT) and suggests also considering collecting data regarding vehicle miles traveled (VMT). A Better City supports the additional considerations for transit-

oriented development and mixed-use districts within one-half mile from a public transit stop, with an existing or proposed safe and accessible path of travel to the project site, and recommends offering clarifying definitions.

- A Better City recommends defining “transit-oriented development district” and “mixed-use district” as they pertain to MEPA regulations. Additionally, A Better City recommends amending the proposed language for projects to “inform” the Massachusetts Department of Transportation and Massachusetts Bay Transit Authority, rather than “consult,” as some projects may be beyond the jurisdiction of the MBTA. Finally, A Better City recommends including considerations for tracking vehicle miles traveled (VMT) in addition to average daily trips (ADT).
- **Incorporating Climate Resilience into Ecological Restoration Projects:** A Better City supports the effort to streamline ecological restoration projects in MEPA permitting and suggests considering additional language to include climate resilient projects.
 - A Better City recommends expanding the scope of ecological restoration projects to also include both green and grey climate resilience projects that leverage nature-based solutions to provide both ecological and community resilience co-benefits. A Better City recommends streamlining review for projects that provide coastal resilience protection, for example, in addition to ecological benefits through incorporation of nature-based solutions alongside resilient critical infrastructure.
- **Clarifying Transition Rules Timelines:** A Better City would appreciate clarification of the timelines for project filings and transition rules, as the current draft language still reads as, “filed prior to XX” in several places on page 29 of the redline draft regulatory amendments.
- **Ensuring Robust Community Engagement and Environmental Regulations Alongside Streamlining:** A Better City appreciates and supports the need for streamlining of MEPA permits as they pertain to housing and ecological restoration projects. Additionally, A Better City would like to affirm the importance of maintaining high standards of community engagement with impacted environmental justice neighborhoods, as well as environmental regulations.
 - A Better City recommends consulting with the Environmental Justice Council and the Office of Equity and Environmental Justice to ensure that any proposed amendments to MEPA are also aligned with anticipated changes to the statutory environmental justice neighborhood definition.