

# MASSACHUSETTS FOREST ALLIANCE



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September 30, 2024

Tori Kim, Director  
Massachusetts Environmental Policy Act Office  
100 Cambridge St, Suite 900  
Boston, MA 02114

Director Kim:

Thank you for the opportunity to comment on proposed MEPA regulatory changes. We represent forest landowners, foresters, timber harvesters, and forest products companies in Massachusetts. We wanted to focus on the proposal to reduce the threshold for MEPA review for forest clearing.

When we first heard of this effort, it was rumored that these thresholds would apply not only to land use change – clearing forest for development that resulted in permanent loss of forest – but also apply to any forest management project that involved a timber harvest, where the land use was NOT being changed and the land would continue to be a forest.

We made it clear to EEA leadership (and we understand staff at EEA agencies also expressed concerns) that such a change would essentially end forest management in Massachusetts entirely. That's because foresters (who plan forest management projects and write forest cutting plans) cannot prepare an EIR, as they have no background or experience in it.

Most Massachusetts forests are made up primarily of low-grade timber. These trees – no matter how long they are left to grow – cannot ever be turned into high-value long-lived durable wood products such as furniture, flooring, or lumber. As a result, most timber harvests remove *\*some\** high-grade, high-value trees in order to pay for the removal of low-grade trees, for which there are few markets, particularly as paper mills closed around the region. Removal of low-grade trees is done to encourage regeneration of future high-grade trees, and benefit forest resilience by encouraging a diverse mix of tree species and ages.

As a result, landowners typically do not earn a lot of money from a timber harvest – often, the goal is to earn enough to pay the taxes on the land until a future timber harvest that can be decades away. The added cost of preparing GHG analyses or EIRs would more than wipe out any income and result in losses to the landowner. This would give these landowners a strong incentive to sell the forestland for development and let the developer worry about paying for these reports. Foresters and timber harvesters would quickly disappear in the state, and the forest products industry – which is estimated to be worth \$3 billion annually to the Massachusetts economy throughout the forest product chain – would gradually vanish.

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We were relieved to see that common sense prevailed and there is no effort to apply these thresholds to forest management projects, and that an exemption for timber harvesting under an approved forest cutting plan (carefully reviewed and approved in advance and supervised while in process by experienced DCR service foresters) remains part of the regulation. We hope that this potential change will not be under consideration at any point in the future.

We were also curious about how you planned to create a standard methodology for measuring GHG impacts from forest conversion. Both carbon storage and sequestration rates tend to be widely varying among stands of trees and depend on growing conditions and site index; soil quality; mix of tree species; access to sunlight; impacts of invasive plants, insects, and diseases; climate change and growing season; and more. Allowing developers to conduct their own research seems like a safety valve, but we believe it's very difficult to settle on a standard number.

We support the idea of mitigation, particularly in the creation of forest products from the timber removed. Often land-clearing has the objective of removing the trees as fast as possible, with little attention paid to selling timber to those who might make long-lived durable wood products from it, and incentivizing this might make a difference. At the same time, we often see that forestland sold for development is in very poor condition and would require significant investment through careful ecological forest management to restore it to long-term health – funding for which is not often readily available. As a result, it would be difficult to impose a mitigation requirement related to long-lived durable wood products, because some sites simply cannot produce any.

MEPA Office staff are not experts in forests or forest carbon, and we hope you will work with EEA staff who are focused on this topic and have access to fund research and reporting from experts in the field. We also stand by to provide real-world feedback and suggestions as you try to craft these new regulations, or at any time when you have questions that we could answer.

I can be reached at (617) 645-1191 or [cegan@massforestalliance.org](mailto:cegan@massforestalliance.org).

Thank you again for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Egan', with a stylized, cursive script.

Christopher Egan  
Executive Director